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Report of the Working Group on the Universal Periodic Review*

Maldives

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-second session from 4 to 15 May 2015. The review of Maldives was held at the 6th meeting, on 6 May 2015. The delegation of Maldives was headed by the Minister of Foreign Affairs, Dunya Maumoon. At its 10th meeting, held on 8 May 2015, the Working Group adopted the report on Maldives.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Maldives: Argentina, France and India.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Maldives:

(a) A national report (A/HRC/WG.6/22/MDV/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) (A/HRC/WG.6/22/MDV/2);

(c) A summary prepared by OHCHR (A/HRC/WG.6/22/MDV/3).

4. A list of questions prepared in advance by Belgium, Canada, Germany, Mexico, the Netherlands, Norway, Slovenia, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Maldives through the troika. These questions are available on the extranet of the Working Group.

II. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation noted that a sense of pride and responsibility defined the Maldivian people, who were guided by that sentiment to craft their own story of progress, a story of resilience that the Maldivians proudly referred to as "the Maldivian story". A significant part of the Maldivian story consisted of the country's constructive partnerships with international agencies and Governments that were serious in supporting positive change in the country.

6. Maldives believed in the universality and equality of States under the universal periodic review. In preparing for its review, Maldives followed a policy of inclusivity through the standing committee on the review, which was led by the Ministry of Foreign Affairs, with the support of the Attorney General's Office.

7. Democratization began in 1932, with the first written Constitution and the introduction of universal adult suffrage. The Constitution was significantly revised with the reform agenda of 2004. A new Constitution was adopted in 2008, bringing about a significant paradigm shift in society.

8. Fundamental rights, including freedom of expression, freedom of the media, freedom from torture and other cruel, inhuman or degrading treatment or punishment and freedom from forced labour, were guaranteed in the Constitution of 2008. They could not be infringed, not even in a state of emergency.

9. Maldives had one of the most liberal interpretations of freedom of expression: it placed no restrictions on freedom of the media, including online newspapers, ensuring the

safety of journalists. The Media Council and the Broadcasting Commission were tasked with protecting freedom of expression. The challenge to the Government was to balance that broad freedom with the guarantee of individual liberty.

10. In parallel to domestic reform, Maldives pursued an activist policy of promoting its international human rights obligations. Since 2005, it has joined seven of the nine core human rights conventions and five optional protocols, ratified the Rome Statute, eight fundamental International Labour Organization conventions, issued a standing invitation to all United Nations special procedures mandate holders and hosted six visits of rapporteurs.

11. Maldives had been a Muslim country for 800 years. Its social framework and historic and traditional values, which had evolved over the decades, were intimately linked to Islamic practices. Islamic values were part of the national identity and heritage, and formed the basis of the Constitution and all Maldivian laws. Calls to introduce values and practices that were contrary to the values of Islam, such as non-traditional forms of families and those related to lesbian, gay, bisexual and transgender people, would not be entertained by the people of Maldives. The basic belief in Islam as an integral part of the Maldivian identity would not change, although the country continued to allow non-Maldivians to practice their own faith in private.

12. The human rights policy of the President, Abdulla Yameen, was guided by the belief that, although providing a basic framework, human rights were not just about international instruments or pieces of law. Human rights was a matter of belief that needed to be carefully cultivated and nurtured, and needed space and time to grow organically and become valued and cherished traditions in the societies concerned.

13. The new school curriculum, which offered civic education in order to cultivate values and belief in human rights, was an integral part of the successful story of the education sector. Maldives offered free education up to the higher secondary level, free textbooks and stationery, and free local and international exams.

14. Maldives had introduced universal health insurance for people of all socioeconomic backgrounds. Its maternal and infant mortality rates were on par with those of developed countries and well above the global average. Diseases that could be prevented through vaccinations, such as neonatal tetanus, whooping cough, polio and diphtheria, were non-existent; malaria had been successfully controlled for decades; the prevalence of HIV/AIDS continued to be low; and there was sustained investment in improving the quality of access to and delivery of health services.

15. Successive governments had adopted social housing schemes as the best way to provide affordable housing to all. Over the past few years, the Government had built over 2,600 housing units, meeting the housing needs of over 17,000 people.

16. The Government had prioritized skills development and job creation for the youth. Over the past 17 months, more than 7,000 jobs had been created and several skills development programmes have been launched.

17. The Government believed in addressing the growing problems of drug abuse and gang violence by empowering the youth. The enactment of the Drugs Act and the Anti-Gang Violence Act provided the legal framework for dealing with those issues. A separate court had been established under the Drugs Act, to hear drug related cases, and there was a conscious shift in policy towards rehabilitation and the reintegration of addicts into society through drug rehabilitation centres across the country. The Government had criminalized gang violence and organized crime and moved rapidly to correct the infringement of human rights through gang activities.

18. Maldives had always maintained a policy of moderation and openness, rejected all forms of extremism and introversion, as well as radical interpretations of Islam, and

denounced and condemned terrorist activities in the name of Islam. The Government announced that it had drafted an entirely new counter-terrorism and prevention bill that would make it a serious criminal offence for Maldivians to take part in any kind of armed activities overseas, except where the military or police officials operate under a formal arrangement.

19. The Government was currently implementing a strategy aimed at increasing awareness about the value of moderation, tolerance and the peaceful nature of Islam. It was also targeting other practices associated with radicalism, including the limited instances of underage marriage, forced marriage, non-vaccination of infants and lack of access to schools for children, especially girls.

20. The Domestic Violence Prevention Act, the Prevention of Sexual Harassment and Abuse Act and the Sexual Offences Act had strengthened the legal framework to protect women, children and migrants from violence and sexual abuse. The gender equality bill, which was currently in its final stages, once passed, would cement the national standards on gender equality and confirm that the policies and the legal framework were consistent with the Convention on the Elimination of All Forms of Discrimination against Women. The Disability Act had boosted the protection and rights afforded to persons with disabilities, giving them access to financial assistance, establishing regulations on minimum standards and the identification of persons with disabilities and making room for affirmative action, including in respect of access to gainful employment.

21. The Anti-Human Trafficking Act represented a milestone in combating trafficking, especially by affording protection to the large number of migrant workers in the country from exploitation. The National Action Plan to Combat Trafficking in Persons 2015–2019 had been finalized. The Government announced that on 27 April 2015 Parliament had approved accession to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

22. Maldivian women had had the constitutional right to vote since 1932. They also had equal pay, paid maternity leave and the same access to education and employment opportunities. The Government was concentrating on making women economically empowered by introducing targeted microloans, single mother benefits, home-based employment opportunities and day-care facilities. The Government aimed to empower women to become more productive citizens, in whatever capacity they chose for themselves, free from coercion or social pressure.

23. The progress that Maldives had made in the areas of governance and social and economic development could be fully realized and sustained over time by creating the necessary enabling institutions. Political tensions had arisen because the speed of institutional development had been slow and the institutional shape and structure envisioned in the Constitution was still not complete; the gap between socioeconomic growth and the emergence of strong political institutions had not yet been entirely filled.

24. The President's comprehensive strategy for democracy consolidation aimed at transforming Maldivian society into a political community that was able to forge an overwhelming consensus on the acceptability of the political system.

25. A significant component of the democracy consolidation strategy was the justice sector strategic action plan, which recognized the judiciary's continuous efforts to improve access to and the effectiveness and functioning of the system. The new Penal Code would play a pivotal role in achieving those targets. A legal profession bill was being drafted to implement the Basic Principles on the Role of Lawyers. Several key pieces of legislation, such as the Anti-Torture Act, the Prison and Parole Act, the Anti-Money-Laundering and Terrorism Financing Act and the Extradition, Mutual Legal Assistance on Criminal Matters

and Transfer of Prisoners Act, had been passed and were expected to enhance the effectiveness of the delivery of services in the justice sector. Maldives was continuously working with international human rights mechanisms with the aim of training and building the capacity of judges so as to encourage the growth of the judiciary into an arm of the State that was strong, robust and enjoyed strong public support.

26. The progress achieved, within only 10 years, was by any measure remarkable. Among the many remaining challenges was the incredibly high economic cost of bringing the systemic changes envisioned in the 2008 Constitution and the speed of the change, which had not given adequate time for the country to develop a pool of human resources capable of transforming the changes into social norms. Those challenges had been further heightened by the fact that Maldivian democracy was "growing up" under the international spotlight.

27. While the Government appreciated the well-meaning and well-intended commentaries and the valuable advice, it called upon States to not only criticize but also to invest in bringing about meaningful change. Meaningful democratic change could not be imposed and could only be sustained if change was locally owned, locally driven and locally shaped. It was also important to let democratic institutions have the space and the independence to grow organically.

B. Interactive dialogue and responses by the State under review

28. During the interactive dialogue, 102 delegations made statements. Recommendations made during the dialogue can be found in section II of the present report.

29. Mauritius welcomed achievements in education, health and housing, the new Ministry of Law and Gender and the law against domestic violence.

30. Mexico recognized the cooperation of Maldives with human rights mechanisms and hoped for the strengthening of the independence of the Human Rights Commission and actions addressing drug abuse.

31. Montenegro commended efforts to combat child, early and forced marriages and trafficking, and asked about measures to combat corporal punishment.

32. Morocco appreciated improved access to education, housing and health care and welcomed measures for the empowerment of women.

33. Namibia acknowledged challenges facing Maldives owing to the dispersal of the population over a vast geographic area and admired the advancement to developing country status.

34. Nepal noted remarkable progress in development, including in curbing infant and maternal mortality, and the challenges of religious extremism and high drug abuse.

35. Netherlands appreciated positive amendments to key legislation but was concerned that many recommendations from the first universal periodic review remained to be implemented.

36. New Zealand was concerned about recent trends in relation to freedom of expression, fair trials and the independence of the judiciary.

37. Nicaragua noted improvements made to universal access to rights to education, health, housing and justice, especially for vulnerable groups.

38. The Niger noted the important contribution made by Maldives to the Human Rights Council, the many ratifications and the initiatives for migrant workers.

39. Nigeria commended achievements in health, housing and education and the strengthened legislative framework on human rights.

40. Norway raised concerns, including on the lack of respect for a fair trial and due process, and urged the reversal of trends undermining democratic principles.

41. Oman commended efforts to promote and protect human rights, especially for minors, and the training of law enforcement officials.

42. Pakistan commended efforts to modernize national legislation and strengthen the legal framework to promote and protect human rights.

43. Paraguay noted advances, such as criminalizing martial rape, but remained concerned at acts of gender discrimination and discrimination based on religion.

44. Peru emphasized such advances as the Social Health Insurance Act introducing universal health care and ratification of the Rome Statute.

45. Philippines commended the rights-based approach to climate change and disaster risk reduction and the new law against sexual abuse, including marital rape.

46. Portugal welcomed the signing of the Rome Statute and shared the concerns of Maldives regarding displacement due to environmental causes.

47. Qatar appreciated legislation and policies on education, health, housing, persons with disabilities, the protection of women and children and the prevention of trafficking.

48. The Republic of Korea noted efforts to protect vulnerable groups with the Domestic Violence Prevention Act and the draft child rights bill.

49. The Republic of Moldova welcomed measures against child, early and forced marriage and asked about the study on child sexual exploitation.

50. The Russian Federation welcomed the reforms in the area of criminal justice, including the adoption of the Criminal Code.

51. Rwanda commended progress achieved in health and the provision of free education and affordable and safe housing.

52. Saudi Arabia commended the ratification of treaties, protocols and ILO conventions and efforts for polio eradication, free education and adequate housing and against domestic violence.

53. Senegal welcomed the ratification of the fundamental ILO conventions, visits of United Nations mandate holders and major progress in education, health, housing and women's rights.

54. Seychelles commended the great steps taken towards a human rights-based approach to protecting the environment and combating climate change.

55. Sierra Leone appreciated universal health care, free education and the Anti-Torture Act, urged greater protection for migrant workers and human rights defenders and called for climate change adaptation assistance.

56. Singapore welcomed the commitment to promote health services and to eliminate discrimination and violence against women.

57. Slovenia welcomed criminalization of domestic violence and marital rape, hoped for ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on a

communications procedure and was concerned at limitations on freedoms, improper functioning of the judiciary and impunity.

58. Spain praised progress in the new Criminal Code but was concerned about the application of the death penalty to minors.

59. Sri Lanka noted progress since the Constitution was enacted in 2008 and stressed the importance of upholding the rule of law and observing due process at all times.

60. Maldives accepted 89 of some 126 recommendations from the first cycle of the universal periodic review and said that it was able to fully implement 58 of the accepted recommendations and had partially implemented 32 recommendations.

61. Maldives stated that its susceptibility to climate change and adverse impacts was a hindrance to the full enjoyment of human rights including the right to adequate housing and to development gains achieved over decades. On climate change the Government took a rights-based approach aiming at supporting livelihoods and communities struggling to adapt to climate change.

62. Maldives clarified that under the Human Rights Commission Act 2006 and subsequent amendments in 2014, Commission members and staff enjoyed immunity from prosecution or complaint for acts carried out in good faith within the purview of their functions. Pointing to issues relating to the *suo motu* application filed against the members of the Commission in 2014, Maldives deemed it inappropriate to comment just yet since the matter had yet to be decided.

63. Regarding challenges faced by local civil society organizations, the Government had already identified many shortcomings in the 2003 Societies Act and proposed revising the law, including by moving the political office of the Registrar of Societies to one of the independent statutory standing offices appointed by Parliament.

64. Maldives stated that migration was a key issue of concern and a continuous challenge for the Government. The Constitution did not discriminate against migrants in relation to their entitlement to just and safe conditions of work, fair wages and equal remuneration, regardless of the person's nationality, race or religion, nor did the 2008 Employment Act. However, a difference did exist where a migrant worker's employment was terminated, as the almost immediate revocation of the employment visa created a huge barrier to recourse before the employment tribunal.

65. The State of Palestine welcomed the implementation of recommendations from the first cycle, particularly on child rights, the right to education and the rights of persons with disabilities.

66. Sudan commended the constructive engagement with international human rights mechanisms, the standing invitation to special procedures and the hosting of visits.

67. Sweden noted reported steps to combat discrimination and violence against women and warnings of deterioration in the independence of the justice system.

68. Switzerland expressed concern about shortcomings in the judicial system and about the deteriorating situation with respect to freedom of expression and intimidation of the national human rights institution.

69. Thailand encouraged continued engagement with the national Human Rights Commission, civil society and the international community, and welcomed free education and universal health care.

70. Timor-Leste welcomed the enactment of legislation against domestic violence and the constitutional prohibition of racial discrimination.

71. Trinidad and Tobago congratulated Maldives on its fiftieth anniversary of independence, which offered an opportunity to reflect on the role of human rights in consolidating democracy, and acknowledged the new ministry, climate change and education policies.

72. Tunisia noted the progress achieved, highlighting the ratification of international human rights instruments, including the Rome Statute.

73. Turkey welcomed improvements in education, housing and health care, as well as steps taken to combat human trafficking, and encouraged strengthened efforts regarding women's rights.

74. Turkmenistan welcomed the measures to strengthen the national institutional infrastructure for promoting human rights.

75. Ukraine commended the adoption of anti-trafficking and domestic violence laws and encouraged Maldives to continue its active stance in the Human Rights Council, including in preventing human rights violations.

76. The United Arab Emirates commended progress in free education, respect of the principle of equality before the law and equal judicial protection in compliance with the obligations of Maldives.

77. The United Kingdom welcomed legislative progress, remained concerned about the death penalty, corporal punishment, due process and the arrest of opposition leaders, and urged restraint and dialogue by all parties and the Government.

78. The United States was concerned that recent developments called into question the independence and impartiality of the judiciary, about the use of politically motivated prosecutions against critics, that non-Muslims cannot become citizens and at the lack of laws to implement labour rights.

79. Uruguay highlighted measures to implement recommendations accepted during the first review, including ratification of the fundamental ILO conventions.

80. Uzbekistan welcomed the legislative and institutional improvements, accession to treaties and cooperation with OHCHR, treaty bodies and special procedures.

81. The Bolivarian Republic of Venezuela appreciated the challenges related to geography and climate change and commended free education and social housing. It appealed for a resumption of political dialogue involving all stakeholders to bring about peace, and efforts to achieve national reconciliation.

82. Viet Nam welcomed the remarkable progress made in the areas of education, housing, health care, access to justice, women's rights and the rights of the child.

83. Yemen noted measures taken to strengthen the criminal justice sector and to join a number of international treaties and protocols.

84. Afghanistan appreciated enhanced educational programmes and the "No child left behind" policy.

85. Albania noted progress in the adoption of the Domestic Violence Prevention Act and the Prevention of Sexual Harassment and Abuse Act.

86. Algeria welcomed the adoption of the law against domestic violence and efforts to adopt a law on the elimination of racial discrimination.

87. Angola was pleased by the many ratifications and the acceptance of special procedure mandate holders' visits.

88. Argentina welcomed efforts in the area of gender, including the adoption of the Domestic Violence Prevention Act.

89. Australia expressed concern at the conduct of the trial of former President Mohamed Nasheed, the subsequent unrest and the death penalty regulations. Australia commended progress on domestic violence.

90. Azerbaijan appreciated Maldives' graduation from least developed country status and noted the recent OHCHR visit as demonstrating the importance attached to United Nations mechanisms.

91. Bahrain commended steps taken in the education field and in ensuring that local and international exams were free of charge.

92. Bangladesh welcomed measures to safeguard women and children's rights, acknowledged the impact of climate change, noted family breakdowns compelling youth to join gangs and hoped for success in strengthening democracy, the rule of law and an independent judiciary.

93. Barbados noted gains in protecting the rights of vulnerable groups and climate change challenges and encouraged Maldives to continue to fully implement accepted recommendations and human rights cooperation.

94. Replying to the advance questions and recommendations made regarding enforcement of the practice of flogging and of the death penalty, Maldives wished to ensure all partners that it remained committed to strengthening the legislative and judicial framework involved in cases of flogging, informed them that the Government remained dedicated to further strengthening those systems and processes and looked forward to any kind of support from partners. Similarly, with regard to the enforcement of the death penalty, Maldives stated that such punishment would not be resorted to unless it was endorsed by all court tiers and was in line with all regulations and procedures.

95. Belgium welcomed efforts to follow-up on the outcome of the first universal periodic review and hoped for increased space in the future for a free civil society and media.

96. Bhutan noted initiatives in education, gender equality and bringing climate change issues to the international forefront.

97. Botswana commended enactment of acts for the protection of women, noted challenges in addressing climate change and expressed concern at reports of trafficking, as well as at the inadequacy, judicial interference and politicization of the Judicial Service Commission.

98. Brazil congratulated enactment of acts to prevent domestic violence, sexual offences, harassment and abuse and the commitment to submitting a gender equality bill.

99. Brunei Darussalam commended progress in promoting women's empowerment and pledges to ensure housing.

100. Cabo Verde noted positive policies on free education, universal health care, social housing and climate change and the Government's determination to consolidate democracy.

101. Canada made recommendations.

102. Chad noted climate change challenges and encouraged the international community to assist in resolving them.

103. Chile valued progress, particularly in ratifying international human rights treaties, improving legislation and implementing programmes.

104. China welcomed measures on free education, housing and universal health coverage and for combating violence sexual exploitation and trafficking, and Maldives' willingness to strengthen the criminal justice system.

105. Costa Rica recognized progress in the implementation of recommendations and the midterm report submitted in 2013.

106. Côte d'Ivoire welcomed cooperation with international mechanisms and encouraged strengthened measures to combat religious discrimination and violence against vulnerable groups and to promote gender equality.

107. Croatia welcomed the emphasis on mainstreaming human rights values and encouraged continued work to ensure the full and equal enjoyment of all human rights for all without distinction.

108. Cuba recognized the progress made, including through the Anti-Torture Act, free education and universal health care, and challenges in consolidating the democratic process. It agreed on the need for the international community to cooperate with the Government to achieve the objectives it had set.

109. The Democratic Republic of the Congo identified the need for policies to combat racial and religious discrimination and eliminate female genital mutilation.

110. Denmark expressed concern about the irregularities of the court case against former President Nasheed, which put into question judicial independence.

111. Ecuador recognized the importance that Maldives attached to the contribution of parliaments to the implementation of the universal periodic review recommendations and welcomed the Social Security Act.

112. Egypt commended the accomplishments, including in health, social housing, education and women's rights, and acknowledged that national ownership was needed for democratic consolidation.

113. Equatorial Guinea, in this golden jubilee year, welcomed the remarkable progress in expanding access to education, reducing inequality and empowering youth.

114. Ethiopia commended progress in education and housing and the commitments to address inequality and protect religious minorities to worship freely.

115. Fiji noted many similar challenges faced in the context of democratic transition, meeting constitutional obligations in line with human rights and climate change.

116. France commended the ratification of the Rome Statute but deplored that the judicial system did not allow for fair and just trials to be held.

117. Germany welcomed passage of the anti-torture and anti-human trafficking acts but was concerned at reported human rights violations, which contributed to a climate of growing fear and reduced space for public discussion.

118. Ghana welcomed such achievements as the draft bill on gender equality but was concerned at the case initiated by the Supreme Court against the Human Rights Commission and called for that decision to be rescinded.

119. Greece appreciated the recent ratifications, the adoption of the anti-torture and right to information acts and the draft gender equality law, which sought to increase compliance with the Convention on the Elimination of All Forms of Discrimination against Women.

120. Honduras commended efforts to strengthen the institutional and democratic framework, including the establishment of the Human Rights Commission.

121. India referred to the importance of adhering to due process, safeguarding the space for legitimate political dissent, scrutinizing the exploitation of migrant workers and reinforcing efforts to address drug addiction, gang violence and organized crime.

122. Indonesia hoped that democracy consolidation integrated with respect for human rights would continue and take root and noted migration as a remaining challenge.

123. Iraq welcomed the adoption of legislation and its harmonization with international commitments, cooperation with special procedures, ratifications and policies on education.

124. Ireland expressed concern about deteriorating respect for the rule of law and the independence of the judiciary.

125. Italy welcomed progress in education and health, development achievements and engagement in strengthening the judiciary.

126. Jordan appreciated the enactment of the education and disability acts, ratifications and the strengthening of the Human Rights Commission.

127. Kazakhstan appreciated measures to combat gender-based violence and to strengthen legislation, including for protecting disabled persons and trafficking victims.

128. Kenya welcomed enhanced social protection and services, the achievement of Millennium Development Goals 4–6 and ratifications, and noted concerning challenges in the administration of justice and the rule of law.

129. Kuwait commended adoption of policies to promote human rights and equality and the invitation to mandate holders to visit Maldives.

130. Latvia welcomed efforts to address human rights in collaboration with mandate holders, including challenges related to judicial independence, women's and children's rights and a safe and enabling environment for civil society and journalists.

131. Lebanon welcomed the adoption of the anti-human trafficking and anti-torture acts.

132. Libya commended the positive interaction with human rights mechanisms and the adoption of legislation against violence and human trafficking and in favour of access to information.

133. Liechtenstein acknowledged the commitment to international justice but remained concerned at reported barriers faced by women in accessing justice.

134. Madagascar observed significant progress in social protection, employment, access to health care and free education.

135. Malaysia acknowledged efforts to strengthen legislative measures to combat violence against women.

136. Mauritania appreciated improvements to the legal framework, ratifications and timely reporting.

137. Maldives reiterated that criticism of the trial and sentencing of former President Nasheed for the abduction or enforced disappearance of a sitting judge in 2012 has focused on the process and not on the merits of the case. The case had highlighted the profound need to bring urgent reforms to the judiciary as identified in the 2004 reform agenda. While the Criminal Code had been adopted, remaining legislation, such as the criminal procedure code, was still with Parliament. In the spirit of showing maximum transparency, the Government invited OHCHR, the Commonwealth Secretariat and the European Union to observe the appeal process. Maldives stated that immediately after the Government had sent out those invitations, the former President announced his decision not to appeal his case.

138. Regarding the issue of the recent demonstrations held in Malé and organized by the Adhaalath Party, a religious party, the delegation reiterated that the protests had become violent when the organizers confronted and physically assaulted the police. The Maldives Police Service did not use excessive or deadly force.

139. In recognition of many concerns raised, the Government would make every effort to further strengthen the judiciary. The Government was working closely with its partners, such as the Commonwealth Secretariat, in examining some of the specific aspects of the constitutional structure with a view to instituting a comprehensive review. Extensive work was also being done with such partners as the United Nations Development Programme in developing a curriculum for the judicial training institute to be established next year. To complement those reforms, the Attorney-General's office, through its strategic action plan of 2014, has already identified the need for more legislation, such as a legal profession act, to enable the establishment of an independent bar association.

140. Maldives thanked all delegations for their statements, comments and recommendations. Full note had been taken of them and they would be given maximum consideration.

II. Conclusions and recommendations**

141. **The recommendations formulated during the interactive dialogue and listed below have been examined by Maldives and enjoy its support:**

141.1 **Continue strengthening the legislative framework for the promotion and protection of human rights for all people in the country in accordance with international human rights obligations (Croatia);**

141.2 **Continue strengthening the legislative framework on human rights (Sudan);**

141.3 **Continue working on the harmonization of its domestic normative framework with its international obligations to which it is a State party, taking into account the recommendations made by treaty bodies and special procedures mandate holders (Nicaragua);**

141.4 **Continue its efforts to build the necessary capacities for the incorporation of human rights in the democratic reform processes and the application of the Constitution (Honduras);**

141.5 **Ensure the independence of the Human Rights Commission, the Election Commission and the Office of the Auditor General (Norway);**

141.6 **Continue strengthening national human rights institutions and mechanisms (Nepal);**

141.7 **Continue measures aimed at strengthening the capacity of national human rights protection mechanisms (Uzbekistan);**

141.8 **Work towards disseminating a culture of human rights and national capacity-building through the development of strategies and plans and seek to implement them in cooperation with the relevant United Nations mechanisms (Qatar);**

** Conclusions and recommendations have not been edited.

141.9 Continue efforts in the field of human rights education and training (Morocco);

141.10 Increase efforts to develop the education system in the field of human rights and further promote a human rights culture in society (Uzbekistan);

141.11 Continue its efforts to enhance capacity-building for law enforcement officials in the area of human rights (United Arab Emirates);

141.12 Strengthen its training and capacity-building programme in the area of human rights for law enforcement officials (Malaysia);

141.13 Promote a culture of respect for human rights at all levels of society (Sudan);

141.14 Consider identifying priority sectors where Maldives faces a lack of trained and qualified professionals and seek technical and capacity-building assistance from the international community (Seychelles);

141.15 Seek all forms of technical and logistical assistance in order to strengthen the situation of human rights in the country (Iraq);[1]

141.16 Consider developing a system to follow up on international recommendations, including universal periodic review recommendations (Paraguay);

141.17 Pursue cooperation with human rights mechanisms (Equatorial Guinea);

141.18 Continue cooperation with international human rights mechanisms (Côte d'Ivoire);

141.19 Continue active cooperation with human rights mechanisms (Azerbaijan);

141.20 Ensure that all civil society actors, as well as the Human Rights Commission, can carry out their activities, including participating in international mechanisms, without being subjected to reprisal (Switzerland);

141.21 Further promote and protect the rights of vulnerable groups of the population, including children, persons with disabilities, women and older persons (Russian Federation);

141.22 Ratify the Convention on the Rights of the Child (Madagascar);

141.23 Continue promoting and protecting the rights of children (Oman);

141.24 Consolidate measures taken to protect and promote the rights of children (Equatorial Guinea);

141.25 Further strengthen the child rights protection system by bringing the national legislation in line with the provisions of the Convention on the Rights of the Child (Kazakhstan);

141.26 Complete the adoption of the new children's act in line with the obligations of Maldives under the Convention on the Rights of the Child (Qatar);

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[1] The recommendation as read out during the interactive dialogue: "Provide all forms of technical and logistic assistance to the Maldives in order to strengthen the situation of human rights in the country".

141.27 **Complete the enactment of the draft child protection act and incorporate in the act provisions to counter child, early and forced marriage (Republic of Moldova);**

141.28 **Enact the draft child protection act and ensure its compatibility with the respective obligations under the Convention on the Rights of the Child, and strengthen cooperation with relevant national stakeholders in the area of eliminating child abuse and victims' rehabilitation (Egypt);**

141.29 **Complete the enactment of the draft child protection act (Jordan);**

141.30 **Complete the process of adoption of the child protection act (Lebanon);**

141.31 **Complete the enactment of the draft child protection act in line with the Convention on the Rights of the Child by including provisions to counter child, early and forced marriage (Latvia);**

141.32 **Strengthen efforts to eliminate out-of-court as well as child marriages (Turkey);**

141.33 **Allocate sufficient resources for the implementation of the national action plan towards the well-being of the Maldivian child 2001–2010 (Timor-Leste);**

141.34 **Establish gender equality legislation to better protect the rights of women and girls (Sierra Leone);**

141.35 **Continue working for the enactment into law of the gender equality bill (Philippines);**

141.36 **Continue to prioritize the enactment of a gender equality bill with a view to combating comprehensively all forms of discrimination against women (Singapore);**

141.37 **Expedite the process to pass the draft gender equality law and to establish clear policies on gender equality and the implementation framework (Namibia);**

141.38 **Adopt the gender equality bill within the time frame (Turkey);**

141.39 **Accelerate the passage of the gender equality bill (Nigeria);**

141.40 **Continue work on enacting a gender equality bill, as an important step to improve the country's legislation on non-discrimination and gender equality (Albania);**

141.41 **Expedite its efforts towards the enactment of the gender equality legislation and set up appropriate mechanisms for its implementation (Mauritius);**

141.42 **Ensure the application of existing laws, in particular those on the protection of the rights of women (France);**

141.43 **Enhance awareness of women's rights and disseminate information on the remedies available to those who claim violations of their rights (Liechtenstein);**

141.44 **Continue implementing the priorities set for the promotion and protection of women's rights in the country (Brunei Darussalam);**

141.45 **Continue its efforts in the field of women's rights protection (Kazakhstan);**

141.46 **Take measures to foster the participation of women in all sectors of the society on the basis of a gender equality policy, including through the application of affirmative actions and quotas (Costa Rica);**

141.47 **Continue improving national legislation in order to ensure equality between women and men on the basis of the principle of non-discrimination (Russian Federation);**

141.48 **Take further measures for the promotion of gender equality and women's rights, ensuring women's participation and gender responsiveness within the policies of the Government and other agencies (Sri Lanka);**

141.49 **Continue to further promote gender equality in the country, in particular through education and capacity-building activities (Viet Nam);**

141.50 **Eliminate all forms of discrimination against women, in particular discrimination against divorced women and widows, so that they can participate in the economic and political life of their country (Angola);**

141.51 **Improve the family law in order to develop the rights of women (Lebanon);**

141.52 **Give stronger support to government measures for the empowerment of women (Cuba);**

141.53 **Continue to take steps for economic and political empowerment of women (Pakistan);**

141.54 **Promote leadership of women by enacting the pending gender equality bill and ensuring its early implementation (Fiji);**

141.55 **Take measures to eradicate traditional stereotypes of women, especially through educational programmes and the enactment of legislation on domestic violence and all forms of sexual violence (Bhutan);**

141.56 **Establish and enforce explicit legal protection against female genital mutilation (Slovenia);**

141.57 **Take measures to eradicate traditional stereotypes of women, especially through educational programmes, and enact legislation on domestic violence (Portugal);**

141.58 **Take concrete measures to implement the Domestic Violence Prevention Act (Jordan);**

141.59 **Develop statistics on cases of gender-based violence and analyse why many women do not to denounce abuses (Spain);**

141.60 **Implement stronger complaints and prosecution mechanisms for survivors of domestic violence, and improved services, including the provision of more shelters (Australia);**

141.61 **Continue deploying efforts aimed at preventing and punishing all forms of violence against women and girls and further consolidate female representation in executive and decision-making positions (Peru);**

141.62 **Institutionalize systematic training and capacity-building to prevent, respond and monitor gender-based violence (Portugal);**

141.63 **Continue strengthening plans and programmes with a view to eradicating domestic violence, especially against women, girls and boys (Chile);**

141.64 **Strengthen its Domestic Violence Prevention Act with a view to ending domestic and sexual violence against women and children (Nigeria);**

141.65 **Train police and medical staff to identify and classify violence within the family avoiding victims stigmatization (Mexico);**

141.66 **Expeditiously implement the Anti-Human Trafficking Act and provide facilities and necessary assistance to the victims, in particular women and children (Sri Lanka);**

141.67 **Continue to implement the National Action Plan to Combat Trafficking in Persons 2015–2019 (Pakistan);**

141.68 **Continue combating trafficking in persons (Senegal);**

141.69 **Continue efforts for the full implementation of the Anti-Human Trafficking Act, in order to identify child victims of trafficking and provide legal assistance to them (Albania);**

141.70 **Implement the anti-trafficking law by investigating all cases of human trafficking (Botswana);**

141.71 **Take concrete steps to reduce violence targeting foreigners and investigate, prosecute and punish perpetrators of violent attacks (Canada);**

141.72 **Put in place measures for the safety and security of foreign workers and effectively implement the Anti-Human Trafficking Act (India);**

141.73 **Proceed in providing effective protection for the family as the natural and fundamental unit of society (Egypt);**

141.74 **Continue the work undertaken for the adoption of a new criminal code which guarantees the independence of the judicial system and the holding of fair and just trials (France);**

141.75 **Take the necessary steps to strengthen the independence and impartiality of the judiciary (Ghana);**

141.76 **Continue the process of reforms in the area of criminal justice in line with the international obligations of Maldives (Russian Federation);**

141.77 **Promote efforts to consolidate the rule of law (Côte d'Ivoire);**

141.78 **Improve access to criminal justice services and legal assistance (Angola);**

141.79 **Hasten the submission of the juvenile justice bill, aimed at establishing a juvenile justice and welfare system in the country (Nigeria);**

141.80 **Guarantee education for children in conflict with the law (Bahrain);**

141.81 **Provide meaningful access to specialized training on international human rights law and mechanisms to its judges, magistrates, prosecutors and lawyers (New Zealand);**

141.82 **Ensure respect for freedom of opinion and expression (France);**

141.83 **Uphold freedoms essential for a stable democracy, including freedoms of speech and assembly (Australia);**

141.84 **Take concrete measures to guarantee freedom of expression and the media and to address limitations in the existing law governing the operation of civil society organizations (Netherlands);**

141.85 **Increase measures to promote and protect freedom of expression in the country (Spain);**

141.86 **Create an environment of freedom of the media and encourage media outlets to project positive images of women and of the equal status and responsibilities of women and men in the private and public spheres (Slovenia);**[2]

141.87 **Strengthen efforts to protect freedom of expression, including the safety of journalists (Greece);**

141.88 **Guarantee freedom of expression in all its forms and ensure investigations into attacks against journalists and the media and bring those responsible to justice (Switzerland);**

141.89 **Develop and implement specific laws, policies and mechanisms that recognize and protect the work of civil society, human rights defenders and journalists (Norway);**

141.90 **Ensure a safe environment for civil society participation, particularly the protection of persons contributing to the work of the Human Rights Council (Paraguay);**

141.91 **Redouble its efforts in combating stereotypes on the role of women through facilitating the participation of women in political and public affairs and sensitizing its population on women's rights (Malaysia);**

141.92 **Intensify its efforts to facilitate the participation of women in political and public affairs and fight stereotypes in relation to the role of women, particularly by raising the awareness of the population about the necessity of ensuring that women enjoy their rights (Argentina);**

141.93 **Continue to promote women and make sure they are effectively present at the level of decision-making (Senegal);**

141.94 **Increase women's participation in decision-making positions (Rwanda);**

141.95 **Continue strengthening its efforts to facilitate the participation of women in political and public affairs (Bangladesh);**

141.96 **Redouble its efforts to facilitate the participation of women in political and public affairs and combat stereotypes on the role of women (Republic of Korea);**

141.97 **Enhance the role of youth and empower them in nation-building (Sudan);**

141.98 **Continue to realize the right to work for its citizens, including through providing opportunities for vocational training and technical education for young people (Egypt);**

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[2] The recommendation as read out during the interactive dialogue: "We also reiterate our previous recommendations No. 56 and 103."

141.99 **Try to minimize the negative consequences of drug-related crimes on human rights (China);**

141.100 **Continue the practice of implementing programmes aimed at further improving the welfare of the population (Turkmenistan);**

141.101 **Continue strengthening its social policies with a view to increasing the quality of life of its people, in particular of the most needy sectors (Bolivarian Republic of Venezuela);**

141.102 **Enhance efforts in the provision of adequate housing for its people (Brunei Darussalam);**

141.103 **Continue with its plans to provide health care, especially for the elimination of polio, and reduce the death rate (Saudi Arabia);**

141.104 **Strengthen the existing health-care system to enhance access to health services by all with special emphasis on preventing life-threatening illnesses and incidents (Sri Lanka);**

141.105 **Take further measures to protect human health in the context of ensuring effective ways of sustainable development (Turkmenistan);**

141.106 **Follow up so as to complete its Health Master Plan 2012–2016 (Equatorial Guinea);**

141.107 **Strengthen the comprehensive health-care system to elevate the level of health services (Kuwait);**

141.108 **Continue to implement effective policies to ensure full access to health services for its people (Singapore);**

141.109 **Enact the education bill as soon as possible (Seychelles);**

141.110 **Enact the education bill, further enhance and develop the education system and intensify efforts to improve access to education for students from low-income families (State of Palestine);**

141.111 **Continue its efforts to provide free education for all (Saudi Arabia);**

141.112 **Take additional steps to improve the quality of local education, including through improving teachers' performance and providing additional support for academically challenged students (Thailand);**

141.113 **Continue its efforts to raise the quality of education for all in order to protect the promotion of human rights (Yemen);**

141.114 **Continue to improve the education system in the country in cooperation and partnership with relevant international organizations (United Arab Emirates);**

141.115 **Take further steps to progressively improve the quality of education (Kazakhstan);**

141.116 **Strengthen the Government's efforts to improve the quality of education (Kuwait);**

141.117 **Enhance measures to address stereotyping against and lack of employment opportunities for persons with disabilities (Malaysia);**

141.118 **Mainstream disabilities rights into government policies and action plans (State of Palestine);**

141.119 **Guarantee access for persons with disabilities to education, health care and employment on an equal footing and without discrimination (Bahrain);**

141.120 **Continue advancing the rights of persons with disabilities by increasing its financial assistance and developing regulation on minimum standards for the enjoyment of their human rights (Cuba);**

141.121 **Improve access to education for persons with disabilities (Jordan);**

141.122 **Identify the challenges in implementing its national migration management policy (Sri Lanka);**

141.123 **Prevent discrimination or trafficking of migrant workers, establish warning mechanism and complaints mechanisms in case of violations and carry out awareness campaigns on their rights (Mexico);**

141.124 **Take further measures for ensuring proper protection of rights of migrants, including migrant workers (Ukraine);**

141.125 **Take all necessary steps in the areas of legislation and political measures to protect migrant workers from abusers, traffickers and unscrupulous employers and to guarantee the non-discrimination of non-citizens with regard to conditions and requirements to access the labour market (Honduras);**

141.126 **Update and enact the pending disaster management bill with a view to realizing these basic rights to clean and safe drinking water and the right to a clean environment (Fiji);**

141.127 **Strengthen and implement comprehensive climate change adaptation measures (Sierra Leone);**

141.128 **Take further steps to protect and promote economic, social and cultural rights, in the context of climate change (Viet Nam);**

141.129 **Actively address the negative impact of climate change on human rights (China);**

141.130 **Strengthen efforts to ensure the security and safety of family and the protection of family from experiencing negative consequences (Bangladesh);**

141.131 **Adopt additional measures to completely implement the Domestic Violence Prevention Act, with reference to the expired 12-month term following its adoption in 2012 (Germany).**

142. **Maldives considers that recommendation 141.22 above is already implemented.**

143. **The following recommendations will be examined by Maldives, which will provide responses in due time, but no later than at the thirtieth session of the Human Rights Council, to be held from 14 September to 2 October 2015:**

143.1 **Finalize the commitment to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Democratic Republic of the Congo);**

143.2 **Consider ratifying those international human rights instruments to which it is not yet a party, among them the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Nicaragua);**

143.3 **Consider the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Egypt);**

143.4 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);**

143.5 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Rwanda);**

143.6 **Consider acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

143.7 **Sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uruguay);**

143.8 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Senegal);**

143.9 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Honduras);**

143.10 **Accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);**

143.11 **Accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Madagascar);**

143.12 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);**

143.13 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Algeria);**

143.14 **Ratify the Kampala amendments to the Rome Statute, if possible with a view to contributing to the activation of the jurisdiction of the International Criminal Court over the crime of aggression at the beginning of 2017 (Liechtenstein);**

143.15 **Consider ratifying the ILO Domestic Workers Convention, 2011 (No. 189) (Philippines);**

143.16 **Ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, as previously recommended (Germany);**

143.17 **Ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Portugal);**

143.18 **Ratify the Convention against Discrimination in Education (Algeria);**

143.19 **Promptly accede to the Trafficking in Persons Protocol to the United Nations Convention against Transnational Organized Crime (New Zealand);**

143.20 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and take the necessary measures to give full effect to the provisions of the International Covenant on Civil and Political Rights in the domestic legal order (Tunisia);**

143.21 **Consider ratification of or accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their**

Families and the International Convention for the Protection of All Persons from Enforced Disappearance (Peru);

143.22 **Step up its efforts to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Trafficking in Persons Protocol (Philippines);**

143.23 **Finalize the process for the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as it committed to do, and create the necessary conditions to ensure the correct functioning and independence of the national Human Rights Commission (Niger);**

143.24 **Consider withdrawing the reservation made on article 16 to the Convention on the Elimination of All Forms of Discrimination against Women (Timor-Leste);**

143.25 **Withdraw reservations to the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child (Slovenia);**

143.26 **Bring domestic legislation into conformity with its international obligations in the human rights sphere (Madagascar);**

143.27 **Undertake necessary measures to strengthen the independence of the Human Rights Commission, including by amending the 2005 Human Rights Commission Act with a view to aligning it with the Paris Principles (Mauritius);**

143.28 **Guarantee the conformity of the national Human Rights Commission with the Paris Principles, strengthen its independence and protect its members against reprisals and intimidation (Tunisia);**

143.29 **Fulfil its first cycle commitment to strengthen the independence and impartiality of its national Human Rights Commission (Canada);**

143.30 **Present its initial report, which is overdue since 2005, to the Committee against Torture (Denmark);**

143.31 **Accept a follow-up visit by the Special Rapporteur on the independence of judges and lawyers and accept the outstanding request of a visit by the Special Rapporteur on the situation of human rights defenders (New Zealand);**

143.32 **Fully implement the recommendations of the Special Rapporteur on the independence of judges and lawyers and ensure that the concept of separation of powers is fully respected (Netherlands);**

143.33 **Take all necessary measures to eliminate all forms of discrimination against children born outside of wedlock with regards to entitlement to maintenance and inheritance (Namibia);**

143.34 **Ensure equality of the rights of children born out of wedlock in unions which have not been sanctioned by courts (Paraguay);**

143.35 **Include specific provisions for the protection of girls in the draft law on the protection of children with a view to preventing child, early and forced marriages and criminalize attempts to marry persons below the age of 18 years, as well as sexual offences against children (Belgium);**

143.36 **Repeal all legal provisions that discriminate against women (Slovenia);**

143.37 **Take all necessary measures to ensure the elimination of violence and discrimination against women and take steps to ensure the full incorporation of the Convention on the Elimination of All Forms of Discrimination against Women into its legal system (Sweden);**

143.38 **Make additional efforts to ensure that domestic law is in compliance with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, particularly with regard to equality in marriage and divorce (Spain);**

143.39 **Strengthen efforts in implementing the rights and obligations towards the empowerment of women found in the Convention on the Elimination of All Forms of Discrimination against Women (Greece);**

143.40 **Accelerate the process to adopt a law on gender equality and carry out awareness-raising activities on the issues of gender and domestic violence in the judicial sector, in the security forces as well as in schools (Belgium);**

143.41 **Take steps to promote religious dialogue on issues that affect women's human rights and the implementation of laws tackling violence against women (Ghana);**

143.42 **Increase resource allocations to government agencies mandated to implement laws tackling violence against women (Malaysia);**

143.43 **Bring an end to arbitrary detentions, particularly on the grounds of political opinion; investigate allegations of torture and ill-treatment in prisons and bring those responsible to justice (France);**

143.44 **Review the treatment of all detainees ensuring that the human rights, safety and security of individuals in government custody are fully respected (Canada);**

143.45 **Ensure the administration of justice is fully consistent with international human rights standards and seek international technical assistance (United Kingdom of Great Britain and Northern Ireland);**

143.46 **Take measures to ensure the independence and impartiality of the role of the judiciary (Trinidad and Tobago);**

143.47 **Take further steps to ensure the impartiality and independence of the judiciary in accordance with international standards (Italy);**

143.48 **Take measures to reform the Judicial Service Commission, so as to ensure an independent and impartial judiciary which respects fundamental rights (Switzerland);**

143.49 **Strengthen the impartiality of the Judicial Service Commission and ensure the independence of the judiciary (Botswana);**

143.50 **Strengthen the independence of the judiciary by reforming the Judicial Services Commission's process for selecting and appointing judges (United States of America);**

143.51 **Restore confidence in its legal system by ensuring the clear and unambiguous division of powers, including the indisputable independence of its judicial processes and judges (Denmark);**

143.52 **Meet relevant obligations under the International Covenant on Civil and Political Rights, and fulfil its universal periodic review first cycle**

commitments to ensure the legitimacy and independence of the judiciary and establish an independent bar association (Canada);

143.53 Adopt the necessary measures to guarantee the independence and impartiality of the judiciary, ensuring to all persons the respect of due process guarantees, in accordance with article 14 of International Covenant on Civil and Political Rights (Argentina);

143.54 Provide adequate training for judges, including human rights training, to ensure all judicial proceedings conform to international fair trial standards, and take concrete measures to strengthen the impartiality and independence of the Judicial Services Commission, including through ensuring that the composition and functioning of the Commission is in line with international principles of independence and accountability of the judiciary (Ireland);

143.55 Favourably consider embarking on fundamental reforms to the judiciary to ensure its independence, impartiality and transparency with a view to strengthening democracy and the rule of law in the country (Republic of Korea);

143.56 Improve the system of the separation of constitutional powers and make sure that each power respects the mandate of the others (Cabo Verde);

143.57 Take concrete measures to reinforce domestic democratic institutions through the strengthening of judicial independence and of the freedom of opinion and expression, the investigation of recent detentions with alleged political motivation, as well as through the guarantee to opposition parties of the right to peaceful protest (Brazil);

143.58 Reaffirm its commitment to democracy, human rights and the rule of law immediately and ensure that security forces exercise restraint in the face of peaceful and democratic protests and cease intimidation of the media (Canada);

143.59 Develop necessary institutional infrastructure to promote mutual understanding, tolerance and interreligious dialogue in Maldivian society to contribute to addressing religious extremism and strengthening cultural diversity (Honduras);

143.60 Develop and implement laws, policies and mechanisms that ensure full protection of all journalists and human rights defenders against attacks and reprisals (Latvia);

143.61 Take appropriate measures to fully guarantee the safety of journalists and human rights defenders so that they can carry out their activities without fear of persecution or restriction (Republic of Korea);

143.62 Ensure an enabling environment for the activities of journalists, human rights defenders and the other civil society actors (Tunisia);

143.63 Create and maintain, in law and in practice, a safe and enabling environment, in which human rights defenders and civil society can operate free from hindrance and insecurity, in accordance with Human Rights Council resolutions 22/6 and 27/31 (Ireland);

143.64 Protect human rights defenders and ensure their right to exercise their work without restrictions (Timor-Leste);

143.65 **Take measures aimed at diminishing threats and intimidation against journalists and civil society, as well as opponents against the Government (Trinidad and Tobago);**

143.66 **Take urgent action to protect human rights defenders, non-governmental organizations and journalists, and to investigate and prosecute all who threaten them (United Kingdom of Great Britain and Northern Ireland);**

143.67 **Improve resource allocations for the implementation of laws tackling participation of women in public office (Montenegro);**

143.68 **Strengthen health-care facilities and enhance access to reproductive health services, especially for adolescents and youth, unmarried women and marginalized and excluded populations such as persons with disabilities (Thailand);**

143.69 **Develop legislation guaranteeing workers' rights, including for migrant workers, and enhance efforts to combat fraudulent recruitment (United States of America);**

143.70 **Improve rights and conditions of migrant workers and consider signing the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey);**

143.71 **Adopt legislation for the protection of the environment and establish a joint private-public partnership to reduce the environmental impact of tourism on livelihoods and the rights to housing, safe drinking water, health and an adequate standard of life for its inhabitants (Mexico);**

143.72 **Promote the empowerment of women and girls and prevent the promotion of discrimination against women including through speech and sermons (Croatia);**

143.73 **Take effective steps to fully strengthen the rule of law; effectively ensure the impartiality and independence of the judiciary (Kenya);**

143.74 **Strengthen the independence of its judiciary (Liechtenstein);**

143.75 **Establish legal remedies that are accessible to women and ensure that women who report violations are treated in a gender-sensitive manner at all stages of judicial proceedings (Liechtenstein);**

143.76 **Continue its efforts to combat discrimination in all its forms (Libya);**

143.77 **Ensure the right of anyone convicted of a crime to have his or her conviction and sentence reviewed by a higher tribunal, as prescribed by article 14 of the International Covenant on Civil and Political Rights (Denmark);**

143.78 **Take all necessary measures to ensure the rule of law and the right to due process as enshrined in article 14 of the International Covenant on Civil and Political Rights (Sweden).**

144. **Maldives considers that the recommendations below cannot be accepted and would thus be noted:**

144.1 **Consider withdrawing reservations to article 18 of the International Covenant on Civil and Political Rights (Kenya);**

144.2 **Take measures to withdraw the reservation to article 18 of the International Covenant on Civil and Political Rights (Costa Rica);**

144.3 **Withdraw the reservation to article 18 of the International Covenant on Civil and Political Rights (Greece);**

144.4 **Remove the legal requirement which prevents non-Muslims from being appointed as members of the Human Rights Commission (Ghana);**

144.5 **Continue efforts to amend the Human Rights Commission Act to be fully in line with the Paris Principles (Indonesia);**

144.6 **Speed up the adoption of the law against discrimination ensuring the incorporation of a prohibition of discrimination on the basis of sexual orientation and gender identity (Chile);**

144.7 **Guarantee that lesbian, gay, bisexual, transgender and intersex persons have full and equal enjoyment of their human rights by repealing the norms that criminalize and stigmatize them (Argentina);**

144.8 **Decriminalize consensual extramarital sexual relations (Slovenia);**

144.9 **Banish from its Penal Code the provisions related to corporal punishment, including flogging for sexual intercourse outside of marriage, and death penalty (Albania);**

144.10 **Place an absolute ban on death sentences against persons below the age of 18 at the time when the offence was committed (New Zealand);**

144.11 **Do not sentence minors to capital punishment (Spain);**

144.12 **Extend the moratorium on the death penalty with a view to its abolition and take immediate measures to prohibit absolutely the application of the death penalty to persons under the age of 18 years at the time of the offence, in compliance with the international legal obligations of Maldives, in conformity with the commitments made during the first universal periodic review (Belgium);**

144.13 **Review and reform its legislation in order to abolish the death penalty and, in the meantime, maintain the de facto moratorium, with a view to abolishing the practice in the future, avoiding, in particular, the possibility of children being sentenced to death (Brazil);**

144.14 **Ensure that the death penalty is not applied to persons below the age of 18 years, in conformity with the Convention on the Rights of the Child, ratified by Maldives (France);**

144.15 **Retain the moratorium on the death penalty in all circumstances, in particular for juvenile offenders, and work towards the de jure abolition of capital punishment (Latvia);**

144.16 **Study the possibility of ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Ecuador);**

144.17 **Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Rwanda);**

144.18 **Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights with a view to total abolishment of the death penalty (Namibia);**

144.19 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Norway);**

144.20 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, relating to the abolition of death penalty (Paraguay);**

144.21 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights with a view to the abolition of death penalty (Madagascar);**

144.22 **Take all necessary steps to introduce a de jure moratorium on capital executions with a view to fully abolish the death penalty, and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Italy);**

144.23 **Revive the former six decade-old moratorium on the death penalty with the clear objective of complete abolition (Germany);**

144.24 **Maintain the moratorium in the application of the death penalty (Spain);**

144.25 **Maintain the moratorium aiming at the abolition of the death penalty (Argentina);**

144.26 **Maintain a long-standing de facto moratorium on the death penalty, with a view to its abolition (Montenegro);**

144.27 **Maintain the moratorium on the application of the death penalty with a view to its definitive abolition (France);**

144.28 **Continue the longstanding de facto moratorium on death penalty and further consider its legal abolition (Nepal);**

144.29 **Continue retaining the moratorium on the use of the death penalty (Ukraine);**

144.30 **Establish a moratorium on executions with a view to abolishing the death penalty (Slovenia);**[3]

144.31 **Establish a moratorium on the application of the death penalty with a view to its definitive and permanent abolition and commute existing sentences (Uruguay);**

144.32 **Consider abolishing the death penalty and eliminate mandatory death penalty sentences (Sierra Leone);**

144.33 **Remove the regulations which enable the implementation of the death penalty for intentional murder and remove the power of the President to commute death sentences, and renew its commitment to a moratorium on the death penalty (Australia);**

144.34 **Amend the Penal Code to prohibit corporal punishment (Chile);**

144.35 **Abolish flogging and other forms of corporal punishment, and ensure that survivors of sexual violence are not prosecuted for fornication (Slovenia);**

[3] The recommendation as read out during the interactive dialogue: "We also reiterate our previous recommendations No. 56 and 103."

144.36 **Institute an immediate moratorium on the punishment by flogging, with a view to abolishing this practice at the legislative level (Uruguay);**

144.37 **Impose an immediate moratorium on flogging, with a view of abolishing it in law, and prohibit all forms of corporal punishment in all settings (Latvia);**

144.38 **Bring an end to the application of cruel, inhuman or degrading punishments, in particular corporal punishment (France);**

144.39 **Introduce the necessary legal and policy measures to abolish all forms of corporal punishment (Italy);**

144.40 **End politically motivated prosecutions and court proceedings, including those against members of the Human Rights Commission, and address the cases of individuals who have been convicted and imprisoned without minimum fair trial guarantees, such as former President Nasheed (United States of America);**

144.41 **Release immediately former President Nasheed, in light of the lack of a fair trial (Norway);**

144.42 **Immediately release political prisoners, including former President Nasheed, and conduct an effective and thorough review of the investigation and legal proceedings to ensure that international obligations related to fair trials and the rule of law have been fully respected (Canada);**

144.43 **Consider eliminating from the national legislation all provisions restricting freedom of thought, conscience and religion (Peru);**

144.44 **Ensure religious freedom, freedom of worship and non-discrimination against persons of different religions (Cabo Verde);**

144.45 **Further facilitate favourable grounds for minority religious groups to choose, change and follow their own religion or belief without any form of restriction (Ethiopia);**

144.46 **Remove legal provisions that restrict the right to freedom of religion or belief, including article 9 (d) of the Constitution, which bars non-Muslims from being Maldivian citizens (Italy);**

144.47 **Guarantee the right to manifest one's religion or belief (Italy);**

144.48 **Develop laws that protect freedom of religion or belief and freedom of expression (Lebanon);**

144.49 **Fully align the institutional and operational framework of the national Human Rights Commission to be in line with the Paris Principles (Kenya).**

145. **All conclusions and recommendations contained in the present report reflect the position of the submitting States and the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of Maldives was headed by H.E. Ms. Dunya MAUMOON, Minister of Foreign Affairs, and composed of the following members:

- H. E. Ms. Aishath Bisham, Legal Affairs Secretary, The President's Office
- H. E. Dr. Ali Naseer Mohamed, Foreign Secretary
- Mr. Ismail Wisham, Assistant Attorney General
- Ms. Geela Ali, Chargé d'Affaires a.i., Permanent Mission of Maldives, Geneva
- Ms. Rishfa Rasheed, Counsellor, Permanent Mission of Maldives, Geneva
- Ms. Mariyam Midhfa Naeem, Counsellor, Permanent Mission of Maldives, New York
- Ms. Shiuneen Rasheed, First Secretary, Permanent Mission of Maldives, Geneva

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Agenda item 6
Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Maldives

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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The Maldives is committed to the Universal Periodic Review process and welcomes the recommendations from countries during Maldives review held in Geneva on 6 May 2015. The Government of Maldives, after careful consideration, is pleased to provide the following responses to the pending recommendation to be included in the outcome report.

143.1. Maldives **accepts** the recommendation.

The Maldives has taken important policy initiatives to strengthen labour management and to protect labour rights including the ratification of eight ILO conventions in 2013. The Government is committed to end the exploitation of workers in the Maldives. This commitment was further demonstrated by the ratification of the Anti-Human Trafficking Act in 2013.

143.2. Maldives **accepts** the recommendation (see 143.1).

143.3. Maldives **accepts** the recommendation (see 143.1).

143.4. Maldives **accepts** the recommendation (see 143.1).

143.5. Maldives **accepts** the recommendation (see 143.1).

143.6. Maldives **accepts** the recommendation (see 143.1).

143.7. Maldives **accepts** the recommendation (see 143.1).

143.8. Maldives **accepts** the recommendation (see 143.1).

143.9. Maldives **accepts** the recommendation (see 143.1).

143.10. Maldives **accepts** the recommendation.

The Maldives signed the International Convention for the Protection of All Persons from Enforced Disappearance in 2007, and is committed to bring the domestic legislations in line with the conventions before finalizing the ratification process of CPPED.

143.11. Maldives **accepts** the recommendation (See 143.10).

143.12. Maldives **does not accept** the recommendation.

The Constitution guarantees economic, cultural, and political rights to every citizen. The Maldives has enacted relevant laws in further guaranteeing those rights.

143.13. Maldives **does not accept** the recommendation.

The Government of Maldives is committed to improving the domestic legislative framework to safeguard the rights of vulnerable groups in the society. Ensuring the protection of the rights of the children is a key priority of the Maldives, and the new Child Rights Bill in the legislative agenda of the Government, would comply with the Maldives international obligations under CRC. However, ratification of the additional protocols burdens the work of the State. The Government however, reiterates its commitment to promoting the rights of children, and would focus on establishing such procedures.

143.14. Maldives **accepts** the recommendation.

143.15. Maldives **accepts** the recommendation.

143.16. Maldives **does not accept** the recommendation.

The Maldives lacks the necessary structures, procedures, and mechanisms to deal with people claiming refugee status in the Maldives, hence the Government cannot accept this recommendation.

143.17. Maldives **does not accept** the recommendation (See 143.16).

143.18. Maldives **accepts** the recommendation.

As per the Constitution of the Maldives, everyone has the right to education without discrimination of any kind. The Maldives offers free education up to higher secondary level, and free local and international exams to all children, adopting a policy of "No Child Left Behind". This policy includes catering for children with special education needs, and teaching civic education, life skills and human rights, with a view to building a productive, respectful, and responsible future generation. The Government is committed to accelerate the ratification process of UNESCO convention against discrimination in Education. As the Constitution and regulations stand, no discrimination exists. Government is taking efforts to make education more accessible to vulnerable groups in society, like persons with disabilities, children of poor families.

143.19. Maldives **accepts** the recommendation.

The Maldives is committed to eliminate the menace of human trafficking in the Maldives. The Maldives ratified its first legislations criminalizing trafficking in persons in 2013. The Government is working closely with international partners such as the International Organisation for Migration to implement policies and measures as well as in providing adequate trainings and awareness campaigns on the issue of trafficking. It is with this commitment that the Parliament accelerated in passing the Protocol to prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children from Parliament in April this year. The Government is hopeful to complete the process of acceding to the Protocol in due course.

143.20. Maldives **accepts** the recommendation.

143.21. Maldives **accepts** the recommendation.

143.22. Maldives **accepts** the recommendation.

143.23. Maldives **accepts** the recommendation.

143.24. Maldives **accepts** the recommendation.

The Government has already begun wider consultation with civil society and other stakeholders in removing reservations to Article 16 (1) a, b, c, g and h and also to 16 (2) of the Convention.

143.25. Maldives **does not accept** the recommendation.

The Maldives does not accept to withdraw reservations to ICCPR article 18 on religious freedom therefore rejects the recommendation as a whole.

143.26. Maldives **accepts** the recommendation.

Since its first cycle the Maldives has adopted several key legislations related to protecting and promoting human rights in the Maldives. The current Government after assuming to office has enacted 18 legislations directly related to human rights.

143.27. Maldives **does not accept** the recommendation.

The independence of statutory bodies such as the Human Rights Commission of the Maldives is not only guaranteed under its respective legislation, but under the Constitution of Maldives. The Human Rights Commission of Maldives established under the Constitution, and is almost fully in line with the Paris Principles. The Constitution of Maldives is based on Islamic Shariah and therefore, non-Muslim cannot become member of the Human Rights Commission as this contradicts the Constitution.

143.28. Maldives **does not accept** the recommendation (See 143.27).

143.29. Maldives **accepts** the recommendation.

The independence of the Human Rights Commission of the Maldives (HRCM) is guaranteed under the Constitution of the Maldives and the Human Rights Commission Act (6/2006). Both the Constitution and the Act provides for independence of the Commission with powers to identify and investigate violations of human rights in laws, regulations, and administrative codes in the Maldives.

The Government also reiterates its unwavering commitment to provide the necessary space and freedom for the independent institutions in the Maldives to function freely and responsibly.

143.30. Maldives **accepts** the recommendation.

The Maldives notes the challenges and limitations faced, as a small island developing state and in fulfilling its reporting obligations under international conventions, due to lack of expertise, human resources, among other issues. However, with the limited human resources the Maldives is committed in submitting its initial report under the CAT.

143.31. Maldives **accepts** the recommendation.

In 2013, the Maldives already welcomed a follow-up visit by the Special Rapporteur on the Independence of Judges and Lawyers to the Maldives. In 2005, the Maldives issued a standing invitation to all Special Procedure Mechanisms.

143.32. Maldives **accepts** the recommendation.

143.33. Maldives **does not accept** the recommendation.

Children born out of wedlock are not discriminated in the Maldives. The inheritance law in the Maldives is based on Sharia. Moreover, it is ensured that no social stigmatisation is associated with children born out of wedlock.

143.34. Maldives **does not accept** the recommendation (See 143.33).

143.35. Maldives **accepts** the recommendation.

143.36. Maldives **does not accept** the recommendation.

The Government is working with all stakeholders to ensure that discrimination against women is eliminated, but will be in line with Islamic shariah, which promotes equal status of men and women.

143.37. Maldives **accepts** the recommendation.

The Government has made key policy and legislative reform in the domestic framework which facilitates equal rights for women. The new constitution that came into force in 2008 guarantees everyone the same rights and freedoms and upholds the principles of equality and non-discrimination. Legislations, such as the Employment Act and the Civil Service Act have subsequently been made compatible with the constitution, thereby providing equal socio-economic services and benefits, as well as equal access to economic and political participation. In addition to the new penal code which comprehensively defines all crimes including rape, specific legislation for the protection of women has also been formulated and ratified which include the Domestic Violence Act in 2012, Sexual abuse and harassment Prevention Act and the Sexual Offences Act in 2014.

143.38. Maldives **accepts** the recommendation (See 143.37).

143.39. Maldives **accepts** the recommendation.

143.40. Maldives **accepts** the recommendation.

143.41. Maldives **accepts** the recommendation.

143.42. Maldives **accepts** the recommendation.

143.43. Maldives **accepts** the recommendation.

143.44. Maldives **accepts** the recommendation.

143.45. Maldives **accepts** the recommendation.

143.46. Maldives **accepts** the recommendation.

Independence of the judiciary is guaranteed under the Constitution of the Maldives. The Maldives is continuously working with international human rights mechanisms aimed at strengthening the judiciary, and in training and building the capacity of judges so that the judiciary will transform into a strong and robust arm of the State. A Legal Profession Bill, to implement the United Nations Basic Principles on the Role of Lawyers, is being drafted.

Several key pieces of legislations, such as the Anti-Torture Act, the Prison and Parole Act, the Anti-Money Laundering and Terrorism Financing Act, Extradition, Mutual Legal Assistance on Criminal Matters and Transfer of Prisoners, have also been passed, that will enhance the effectiveness in the delivery of services in the justice sector.

The Government has also published its 5 year legislative agenda supported by UNDP which would be the basis for broader legal reform agenda of the Government.

The Supreme Court of Maldives endorsed a continuous Education Curriculum for the Judiciary on 19 August 2015. The curriculum was developed with technical support from UNDP to the long term capacity building initiatives for the judiciary led by the Supreme Court.

143.47. Maldives **accepts** the recommendation.

143.48. Maldives **accepts** the recommendation.

143.49. Maldives **accepts** the recommendation.

143.50. Maldives **accepts** the recommendation.

143.51. Maldives **accepts** the recommendation.

143.52. Maldives **accepts** the recommendation.

143.53. Maldives **accepts** the recommendation.

143.54. Maldives **accepts** the recommendation.

143.55. Maldives **accepts** the recommendation.

143.56. Maldives **accepts** the recommendation.

143.57. Maldives **accepts** the recommendation.

143.58. Maldives **accepts** the recommendation.

143.59. Maldives **does not accept** the recommendation.

The Maldives has been a Muslim country for the last 800 years. The social framework and historic and traditional values have evolved over the decades, to be intimately linked to Islamic practices. Islamic values are part of the national identity and heritage, and form the basis of the Constitution, and all our laws.

143.60. Maldives **accepts** the recommendation.

Freedom of expression and the media is guaranteed in the Constitution, which includes the rights to espouse, disseminate, and publish news, information, views and ideas. It also protects the information source and explicitly prohibits compulsion to disclose the details of the person. These rights are further enhanced through the recently established information Act. The Government takes seriously threats and any form of reprisals against

journalists in relation to their work, and will take all necessary measures to stop such activities and ensure the safety of journalists.

143.61. Maldives **accepts** the recommendation (See 143.60).

143.62. Maldives **accepts** the recommendation (See 143.60).

143.63. Maldives **accepts** the recommendation.

The Government has always been supportive of the civil society and engages constructively with them on a number of issues. It is with this view that the Government reconstituted the UPR National Standing Committee with wider civil society participation.

143.64. Maldives **accepts** the recommendation.

143.65. Maldives **accepts** the recommendation (See 143.60).

143.66. Maldives **accepts** the recommendation (See 143.60).

143.67. Maldives **accepts** the recommendation.

The Government has been a strong vocal in promoting active participation of women in public offices. In this regard, a policy is in place since 2014 to allocate 30% of women on the governing boards of listed companies by 2016. Additionally, the 2007 Civil Service Act, the 2008 Employment Act, the 2009 Pensions Act, and Special Measures for Perpetrators of Child Sexual Abuse act 2009, the 2010 Disability Act, the 2010 Decentralization Act and the Domestic Violence Law provide equal access to economic and political participation and socio-economic services and benefits to men and women.

143.68. Maldives **accepts** the recommendation.

The Maldives has made great progress in providing the highest attainable standard of health care. The Health Services Act, ratified on 7 September 2015 is designed to institute a national mechanism for health services provided in the Maldives and to contribute to the advancement of health services in the Maldives. It establishes the rules and regulations to enhance the quality of health care services by setting out the rules and guidelines for the health service centers, specifies code of conduct for the personnel working in the health sector and the rights and responsibilities of health service providers and its recipients. This would enable to standardize health services by providing a consistent, safe and an accessible service for people of all socio- economic background.

The new Reproductive Health Strategy formulated for the period 2014 to 2018 aims to reduce exclusions and social disparities in health. It also embraces a primary health care approach, which outlines strategic interventions for promoting family planning, maternal and new born health care, preventing unsafe abortion, prevention and management of sexually transmitted diseases and health sector response to gender based violence.

143.69. Maldives **accepts** the recommendation.

143.70. Maldives **accepts** the recommendation.

143.71. Maldives **accepts** the recommendation.

The Government of Maldives accords a high priority to the protection and conservation of its environment and has in place the necessary laws and regulations for effectively managing environmental impacts while ensuring sustainability. The Environment Protection Act of 1993 mandates parties to conduct an impact assessment in social and developmental projects, to ensure minimal impact on the natural environment and its habitats.

143.72. Maldives **accepts** the recommendation.

143.73. Maldives **accepts** the recommendation.

143.74. Maldives **accepts** the recommendation.

143.75. Maldives **accepts** the recommendation.

143.76. Maldives **accepts** the recommendation.

143.77. Maldives **accepts** the recommendation.

Article 56 of the Maldives Constitution ensures that anyone convicted under the Maldivian Law, including foreigners, has the right to appeal a conviction and sentence, or judgement or order in a criminal or civil matter.

143.78. Maldives **accepts** the recommendation.

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Andorra

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-second session from 4 to 15 May 2015. The review of Andorra was held at the 7th meeting on 7 May 2015. The delegation of Andorra was headed by Minister of Foreign Affairs, Gilbert Saboya Sunyé. At its 14th meeting, held on 12 May 2015, the Working Group adopted the report on Andorra.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Andorra: Ethiopia, Portugal and Qatar.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Andorra:

(a) A national report (A/HRC/WG.6/22/AND/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) (A/HRC/WG.6/22/AND/2);

(c) A summary prepared by OHCHR (A/HRC/WG.6/22/AND/3).

4. A list of questions prepared in advance by Germany, Mexico, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Andorra through the troika. These questions are available on the extranet of the Working Group.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Minister for Foreign Affairs, Gilbert Saboya Sunyé, representing the delegation of Andorra, began his speech by thanking Germany, Mexico, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland for the questions that they had transmitted in advance.

6. The Principality of Andorra had submitted its report for the first cycle of the universal periodic review on 3 November 2010 and, following the review, the Ministry of Foreign Affairs had informed all government departments of the recommendations that had been accepted and had assumed responsibility for coordinating the follow-up and implementation of those recommendations.

7. The report submitted to the Working Group for the second cycle of the review had also been drafted by the Ministry of Foreign Affairs in collaboration with the Ministry of Justice and the Interior, the Ministry of Finance and Public Administration, the Ministry of Health and Welfare, the Ministry of Education and Youth, and the Public Prosecutor's Office. The report had been submitted to all public authorities and to the parliament and local authorities for their input. Civil society had also been invited to participate in the drafting of the report, through an announcement published in the Official Gazette.

8. Since joining the United Nations in 1993, Andorra had ratified more than 200 international treaties. Between September 2010 and January 2015, Andorra had ratified 15 new treaties, including optional and additional protocols, and had adopted over 130 laws and legislative amendments in compliance with its international commitments.

9. Since the first cycle of the review, Andorra had made progress in the submission of reports to treaty bodies. In recognition of the importance of such periodic reports, it would shortly submit a report to the Committee on the Elimination of Racial Discrimination.

10. In the legislative field, a major reform undertaken by Andorra had been the adoption of the Foreign Investment Act of 21 June 2012, which had extended economic rights to all legal residents, with no restrictions based on nationality or residence. On 31 May 2012, the Immigration Act had been amended to bring all provisions relating to the various types of residence in a single text.

11. At the European level, on 18 March 2015, San Marino, Monaco and Andorra had entered into negotiations to establish a new framework of relations with the European Union. The commitment of Andorra to human rights had also been reflected during its chairmanship of the Committee of Ministers of the Council of Europe, from 9 November 2012 to 16 May 2013, when it had set education for democratic citizenship and human rights education as priorities.

12. Andorra had also contributed actively to promoting the European Convention on Human Rights through a social network campaign.

13. Moreover, the University of Andorra had just established a new chair specifically for human rights.

14. Regarding education, the delegation of Andorra referred to the invitation from the Secretary-General of the United Nations to serve as one of the champion countries for the Global Education First Initiative, which aimed to put every child in school, improve the quality of learning and foster global citizenship.

15. The Principality of Andorra had three national public education systems: French, Spanish and Andorran. Education was free, and the system had no doubt encouraged the integration of foreigners in a country that was home to more than 100 nationalities and where the national population accounted for under half of all residents. Multilingualism was therefore important for the promotion of human rights.

16. The Principality of Andorra had since 2002 adopted legislation guaranteeing the rights of persons with disabilities. On 11 March 2014, in response to one of the recommendations made during the first cycle of the review, Andorra had acceded to the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

17. Act No. 6/2014 on social and health-care services, which had been adopted on 24 April 2014, had set up a range of technical, economic and technological services for all citizens, particularly persons in need of social assistance or those who were dependent on others, socially excluded or at risk.

18. With regard to involuntary unemployment, at the request of Spain, the delegation of Andorra set out in detail the conditions for granting benefits and allowances, such as requirements in terms of the age of beneficiaries and their personal circumstances.

19. In response to questions on the measures taken to reduce youth unemployment, the delegation of Andorra referred to the Youth Employment Plan, adopted jointly on 19 January 2015 by the Ministry of Justice and the Interior and the Ministry of Education and Youth. The Plan, which was directed at young persons aged 16 to 20 who, having completed their school education, were unable to access the labour market, offered diversified and personalized training to facilitate their integration into the labour force. In addition, on 29 December 2011, an amendment to the Social Security Act had enabled students aged 25 to 30 to pay health insurance contributions. The law had created a new system that allowed unemployed persons registered with

the Employment Service but not receiving an allowance to have access to social security.

20. As for the steps taken to strengthen education and cooperation with civil society and the media to eradicate traditional stereotypes that perpetuated discrimination and violence against women — a question that had been submitted in advance by Germany — the delegation of Andorra explained that the Ministry of Health and Welfare and the Ministry of Education and Youth had launched joint programmes to increase awareness in society of women's rights. It drew attention to information campaigns on women's rights conducted during International Women's Day and to training workshops aimed at preventing abusive behaviour.

21. In 2012, the University of Andorra had, for the first time, encouraged schools to participate in the "children's university" project in order to promote science and break down stereotypes about scientific knowledge. In 2013, Andorra Telecom had organized a day for girls to encourage them to choose a career in engineering or telecommunications.

22. In response to a question from Germany and the United Kingdom of Great Britain and Northern Ireland on whether the Government of Andorra intended to establish a national human rights institution in compliance with the Paris Principles, the delegation pointed out that, during the first cycle of the review, Andorra had not accepted the recommendation. Courts of justice and the *Raonador del Ciutadà* (Ombudsman) were the main guarantors of human rights in the country and the creation of a new institution might be viewed as a costly duplication of those bodies. Andorra could, however, carry out a study to determine whether such an institution was needed.

23. Germany had also submitted a question about ratifying the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol. During the first cycle of the universal periodic review, the Government of Andorra had not accepted the recommendation to ratify certain international instruments, owing to regulatory constraints, including a lack of laws to regulate the right to strike and the economic rights of residents. Nevertheless, on 15 January 2015, in response to recommendations from the first cycle of the review, a bill to regulate labour disputes had been submitted to the parliament. The new Government would review the bill with the aim of resubmitting it before the end of the year.

24. In response to a question from the United Kingdom of Great Britain and Northern Ireland on including a definition of torture in the Criminal Code and establishing a national mechanism for the prevention of torture, the delegation of Andorra referred to amendments made to the Criminal Code pursuant to Act No. 40/2014 of 11 December, which implemented a recommendation made by the Committee against Torture after its consideration of the initial report of Andorra.

25. The delegation of Andorra added that the Ombudsman undertook regular visits to detention centres to receive complaints from inmates for submission to the parliament.

26. As for the Rome Statute, national laws and cooperation with the International Criminal Court — a question raised by the United Kingdom of Great Britain and Northern Ireland — according to the delegation, the Act of 29 December 2000 on international judicial cooperation in criminal matters covered the necessary mechanisms for cooperation with the Court, but the Government planned to study the matter in greater detail.

27. The delegation of Andorra added that the question from the United Kingdom of Great Britain and Northern Ireland on procedures for determining refugee status and non-refoulement was answered by Act No. 9/2012 of 31 May 2012, article 11 of which

acknowledged the right of international organizations such as the Office of the United Nations High Commissioner for Refugees to provide refugees with identity documents. Andorra was also a party to the European Convention on Extradition. Moreover, article 14 of the Extradition Act of 28 November 1996 was very clear on the matter.

28. Mexico had submitted a question on the right of seasonal workers to family reunification. The delegation replied that Act No. 9/2012 of 31 May 2012 allowed seasonal workers to live and work in the country for a continuous period of 12 months at most and did not provide for the right to family reunification. However, the Minister added that, regardless of their parents' immigration status, the children of seasonal workers were covered by the Andorran education and health-care systems.

29. In response to recommendations to prohibit corporal punishment, the most recent reform of the Criminal Code had in December 2014 established that such offences constituted a criminal act. Corporal punishment was thus now prohibited in all places and in all circumstances.

30. Regarding the promotion of gender parity, all parliamentary groups had endorsed the drafting of a white paper on equality as a means of compiling information on the actual situation of women in government and establishing a common strategy.

31. On 15 January 2015, the parliament had also adopted Act No. 1/2015 on the eradication of domestic violence and the establishment of a national commission for the prevention of domestic and gender-based violence.

32. In response to written questions from the United Kingdom of Great Britain and Northern Ireland on gender-based discrimination, the delegation of Andorra indicated that the Constitution and other legal texts such as the Labour Code strictly prohibited all forms of discrimination, inter alia on account of gender. In order to improve the observance of women's rights, the Government intended to submit a comprehensive gender equality bill to the parliament so as to equip the country and its institutions with the mechanisms needed to promote and protect women's rights.

33. With regard to the marriageable age and the recommendations to alter the minimum age, the Government had noted that, over the last four years, there had been no marriages involving minors between the ages of 16 and 18, nor of minors between the ages of 14 and 16 with judicial consent, and that, as there were no cases indicating a problem, amending the law was not a priority for the Government at the present time.

B. Interactive dialogue and responses by the State under review

34. During the interactive dialogue, 39 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report. All written statements by the delegations, which may be checked in the United Nations Webcast archives,[1] are posted on the extranet of the Human Rights Council, when available.[2]

35. Thailand commended Andorra for taking steps to address the problems relating to domestic violence, discrimination against persons with disabilities and human trafficking. It welcomed the amendment to the Criminal Code in 2014 which created new offences within the crime of trafficking in persons for purposes such as slavery and sexual exploitation. Thailand also welcomed the adoption of the Act on the

[1] http://webtv.un.org/meetings-events/human-rights-council/universal-periodic-review/watch/Andorra-review-22nd-session-of-universal-periodic-review/4221938470001

[2] https://extranet.ohchr.org/sites/upr/Sessions/22session/Andorra/Pages/default.aspx

Elimination of Gender-based and Domestic Violence and the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

36. Timor-Leste appreciated the measures taken by Andorra to face human rights challenges, such as the establishment of the National Equality Commission to address anti-discrimination issues and the adoption of a bill on the elimination of gender-based violence and domestic violence.

37. The United Kingdom of Great Britain and Northern Ireland commended the adoption of the Labour Relations Code that prohibits discrimination on the grounds of sex, the establishment of the National Equality Commission and the work done with regard to the rights of migrants, refugees and asylum seekers. It encouraged further action in those areas and hoped that Andorra would ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

38. The United States of America commended Andorra for its exemplary human rights record and longstanding commitment to democracy and the promotion of human rights. However, it was concerned that Andorra had not yet developed or implemented all the mechanisms necessary for the protection of the rights of workers, including laws, resources, investigations, remediation and penalties. It also noted that the law did not provide for an independent mechanism to investigate abuses and killings by the security force and that there was no official status for faiths other than Catholicism.

39. Uruguay noted the recent ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities. It also noted the recent approval of the law on gender-based and domestic violence and that a national commission on the prevention of violence had been established. Uruguay welcomed the multidisciplinary commission to combat gender-based and domestic violence.

40. The Bolivarian Republic of Venezuela stressed the political will of Andorra to implement the recommendations accepted during the first universal periodic review, despite the economic crisis. It underscored the strengthening of the legislative framework for social and health services, which completed the management of the Andorra social protection system. Venezuela (Bolivarian Republic of) recognized the progress made in implementing policies to protect the rights of women and to promote their participation in society. It underlined the approval of significant legislative provisions aimed at eradicating gender-based and domestic violence, which were accompanied by national awareness-raising campaigns on the rights of women.

41. France welcomed the ratification by Andorra of several international conventions, in particular the Convention on the Rights of Persons with Disabilities and its Optional Protocol, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), as well as the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuses. It also welcomed the recent legislative amendments to the Criminal Code aimed at prohibiting corporal punishment.

42. Angola commended Andorra for enhancing new developments in the justice sector, which enabled social inclusion of people, regardless of race, social condition or affiliation. It also commended the ratification of the Convention on the Rights of Persons with Disabilities and the United Nations Convention against Transnational Organized Crime. It appreciated the establishment of the National Youth Forum, which enabled youth to participate in political and social life.

43. Argentina commended Andorra for ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol. It voiced and echoed the concern

raised by the Committee on the Rights of the Child about the rights of children with disabilities, in particular their access to social and appropriate health-care services. Argentina referred to the international campaign for the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance.

44. The delegation of Andorra thanked the other delegations for acknowledging the efforts undertaken by Andorra in the field of human rights. Regarding abuse by law enforcement officials, particularly the police, the delegation reaffirmed that the Criminal Code provided for relevant judicial procedures. As for the request made to Andorra to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Minister replied that the Government would conduct an in-depth study of the commitments required under the Convention.

45. Australia appreciated the strong human rights framework of Andorra, which valued the integrity of the person. It praised the efforts to address gender-based and domestic violence, including through the introduction of domestic legislation. It also commended Andorra for its efforts to protect the rights of children.

46. Brazil appreciated that Andorra had extended a standing invitation to all special procedures of the Human Rights Council and had ratified the Convention on the Rights of Persons with Disabilities, its Optional Protocol and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. It requested Andorra to continue to review its domestic legislation in line with the Convention on the Rights of the Child and also to continue to amend its Criminal Code in order to prohibit the trafficking and sale of children.

47. Canada congratulated Andorra on the initiatives taken since the first review to protect human rights, including the adoption, in 2015, of a law on the elimination of gender-based and domestic violence, the establishment of a national commission on those same matters, as well as the forthcoming White Paper on the promotion of gender equality. Canada commended the amendment, in 2014, to the Criminal Code to create new crimes relating to trafficking in persons and hate crimes.

48. Chile carefully considered the information relating to the standard setting and institutional reforms undertaken. In that respect, it noted the approval of the law on civil unions between persons of the same sex and the amendment to the civil matrimonial law. Chile welcomed the recent approval of the bill to eradicate gender-based and domestic violence and called upon Andorra to promptly implement the law through the various national mechanisms. It requested information on corporal punishment.

49. China commended Andorra for implementing recommendations accepted during the first review. It noted that Andorra had strengthened protection for vulnerable groups such as women, minors and persons with disabilities, and combated corporal punishment against children so as to protect them from violence, sexual exploitation and abuse. It also noted that Andorra had prohibited domestic violence against women, combated discrimination and ensured equal pay for equal work. China welcomed specific measures taken to protect various human rights, including economic rights for foreigners.

50. Costa Rica noted the progress made by Andorra in the period between the first and second cycles of the review. It recognized the increase in the accession to international human rights instruments and the progress made in harmonizing legislation with international treaties. Costa Rica urged Andorra to strengthen initiatives and laws to protect children and against gender violence. It underscored the efforts made to ensure that women represented 50 per cent of the Parliament. While

welcoming the approval by the Parliament of the agreement to promote gender equity, Costa Rica noted that there was no legislation on gender equality and discrimination.

51. Denmark congratulated Andorra for its constructive cooperation with the Committee against Torture and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, including through the incorporation of recommendations into national legislation. However, it was surprised that Andorra had rejected the recommendations made during the first cycle of the review to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

52. Estonia noted that Andorra had made valuable progress in the areas of children's and women's rights, including the establishment of the National Equality Commission in 2010, and the National Action Plan for Equality. Estonia commended the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

53. The delegation of Andorra confirmed its commitment to combating intolerance and hate speech. With regard to torture and ill-treatment, the delegation confirmed that all prison procedures had been reviewed so as to ensure compliance with the recommendations made by the Committee against Torture. The delegation pointed out that the Criminal Code contained a specific provision on child trafficking and that Andorra had ratified the European Convention on Action against Trafficking in Human Beings and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

54. Algeria congratulated Andorra for having signed 15 international human rights treaties since the first review, with special emphasis on treaties protecting the rights of vulnerable groups such as women, minors and persons with disabilities.

55. Georgia commended Andorra for the amendments to the 2008 regulations on social security benefits, which lowered the age for unemployment benefit payments, the adoption of the Act on the social protection system, the bill on the elimination of gender-based and domestic violence and the adoption of legislation introducing standards and mechanisms to improve equality between men and women with regard to working conditions and remuneration.

56. Germany remained concerned, despite many positive developments, at persisting discrepancies between the law on paper and in reality, such as the need to increase awareness about the rights of persons with disabilities and the removal of all barriers, both physical and cultural, which impede persons with disabilities from living in dignity.

57. Indonesia commended the establishment of the National Commission for the Prevention of Gender-based and Domestic Violence and the National Equality Commission. It noted with appreciation the steps taken for the implementation of various strategic national plans and highlighted social and economic developments with regard to youth, health, social security and gender equality. Indonesia commended the enactment of Act 10/2012 on migrant and labour rights, which enables foreign nationals to fully access their economic rights.

58. Ireland commended Andorra for extending a standing invitation to all special procedures of the Human Rights Council. Ireland noted that, despite having ratified both the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, in 2006, Andorra had yet to submit an initial report to either of those treaty bodies. In that regard, Ireland encouraged Andorra to take all possible steps to submit its outstanding reports to the United Nations treaty bodies as expeditiously as possible. Ireland

welcomed the ratification of the third Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

59. Italy welcomed the recent proposal of a legal framework that would protect the rights and guarantees of employees and employers with regard to collective action. Italy also welcomed the steps taken, from 2010 to 2014, against gender discrimination and violence against women, including awareness-raising campaigns on women's rights and the ratification of the Istanbul Convention.

60. Libya commended the progress achieved since the first review, in particular the ratifications of a large number of international human rights instruments, the harmonization of domestic legislation with international obligations, and significant efforts in the area of the right to work, more specifically employment.

61. Mexico noted with satisfaction the progress made since the first cycle of the review, such as the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol, the reform of the Penal Code regarding trafficking in persons and torture and efforts to promote equal remuneration for women and men.

62. During the interactive dialogue, the delegation of Andorra confirmed its intention to ratify the Convention on Cybercrime and the Arms Trade Treaty. Andorra also undertook to submit an initial report to the Committee on the Elimination of Racial Discrimination within a short time. The delegation mentioned a new initiative of the Ministry of Justice to establish a special prison education unit at prison so as to facilitate the reintegration of prisoners into society through education and work.

63. Monaco applauded the progress accomplished and the action taken by Andorra with regard to protecting and promoting women's rights and, in particular, the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

64. Montenegro commended Andorra for, inter alia, fully cooperating with the United Nations treaty bodies and for fulfilling its reporting obligations despite limited resources. Montenegro congratulated Andorra for its inclusion in the United Nations 16 Champion Countries for the Global Education First Initiative. Montenegro noted the concerns of the Committee on the Elimination of Discrimination against Women with regard to gender equality, in particular the absence of a comprehensive gender equality and anti-discrimination law and a corresponding national plan covering all areas of the Convention, and asked Andorra to elaborate further on the steps and measures taken in that regard.

65. Morocco noted the ratification of 15 international human rights treaties since the first review, in particular the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and the harmonization of domestic legislation with international obligations, particularly norms aimed at improving gender equality with regard to remuneration. Morocco expressed satisfaction at the adoption, in January 2015, of the law on the elimination of gender-based and domestic violence and asked for further information on the activities of the Commission established within the framework of that law.

66. Namibia applauded the efforts undertaken to overcome the challenges that Andorra was facing as a result of the economic crisis that had impacted heavily on its economy and population, such as the protection for vulnerable groups and assistance for families. Namibia commended Andorra for passing the Act on the Elimination of Gender-based and Domestic Violence, in January 2015, which provides for the establishment of the National Commission for the Prevention of Gender-based and Domestic Violence.

67. The Netherlands noted with appreciation the recent ratification of the Council of Europe Convention on Action against Trafficking in Human Beings and the Convention on Preventing and Combating Violence against Women and Domestic Violence. The Netherlands remained concerned about the effects of the criminalization of abortion on the health and safety of women.

68. Nicaragua commended the progress made since the first cycle of the review in the area of the rights of children, including the measures taken through its legislation to combat child prostitution, domestic violence and sale of children. Nicaragua encouraged Andorra to further improve the situation of women.

69. The Niger noted the progress made by Andorra since the first cycle of the review and commended the adoption of a wide range of laws in the areas of migration, protection of vulnerable cases and promotion of civil and political rights. It commended the National Forum on Youth and the National Commission for the Prevention of Gender-based and Domestic Violence. Niger welcomed the ratification of other international human rights instruments and encouraged the ratification of the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

70. The Philippines referred to the recommendation from the first review to establish a national human rights institution. It noted the standards and mechanisms to improve equality between men and women, but was concerned about the wage gap in the private sector and the unequal access to managerial posts for women, who are in a disadvantaged position.

71. Portugal welcomed the comprehensive national report presented by Andorra and the progress made since the first cycle of the universal periodic review. It commended the adoption of the Act on the Elimination of Gender-based and Domestic Violence and the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

72. Rwanda commended the progress made by Andorra in promoting and protecting human rights since its first universal periodic review. It noted with appreciation that Andorra has ratified 15 instruments, including the optional protocols and the additional protocols to conventions to which it was already a party. Rwanda commended the adoption of the Act on the Elimination of Gender-based and Domestic Violence and the establishment of the National Commission on the same subject.

73. Sierra Leone praised the commitment of Andorra to human rights, especially its advancement on children's rights and the prohibition of corporal punishment. However, it remained concerned about discrimination against women and incidents of racial intolerance. Sierra Leone encouraged Andorra to sign the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the Convention against Transnational Organized Crime and to establish a national human rights institution, and urged it to enact laws on the status of refugees and asylum seekers. It raised the issue of children with disabilities.

74. Slovenia welcomed the ratification of the Convention on the Rights of Persons with Disabilities, the Istanbul Convention and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure as in its previous recommendation and encouraged the Government to pursue the ratification of the remaining core human rights treaties. It commended the issuance of a standing invitation to the special procedures of the Human Rights Council. Slovenia praised the efforts undertaken in the field of human rights education for teachers and pupils,

public servants and judicial and police officials in line with its recommendation during the first universal periodic review.

75. Spain noted with appreciation the measures taken to combat discrimination based on gender. It commended the adoption of measures relating to non-discrimination and the ratification of the Convention on the Rights of Persons with Disabilities. It also referred to the creation of "saig".

76. Sweden welcomed the amendment in December 2014 of article 476 of the Criminal Code prohibiting corporal punishment of children in all settings. Sweden stressed the importance of becoming a party to the Convention on the Status of Refugees. It also noted that Andorran legislation does not provide for collective bargaining on the right to strike.

77. The delegation reiterated its appreciation to all the speakers for their recognition of its efforts. In particular, it thanked the Principality of Monaco, with which Andorra shared numerous initiatives and similarities in terms of administrative capacity.

78. In response to the question from Montenegro on the protection of women, particularly women victims of violence, the delegation recalled the raft of measures that had been taken to offer protection, including the establishment of a comprehensive care team for women and the provision of free access to social services, labour inspection and justice.

79. Regarding the numerous requests to establish a national human rights institution, the delegation reiterated the important role played by the Ombudsman in Andorra, but stated that a detailed in-depth study would be conducted to assess the possibility and appropriateness of establishing such an institution.

80. The human rights training for journalists and the media mentioned by Slovenia had also been seen as a suggestion worth considering.

81. In response to Sweden's comments on the regulation of the right to strike, the delegation indicated that the parliamentary debate on the matter should be relaunched in the wake of the legislative elections that had taken place in March 2015.

82. Lastly, in response to the comment from Spain on legal certainty, the delegation of Andorra acknowledged the need to pursue efforts to develop a faster and more effective justice system by fostering judicial cooperation and the creation of new positions such as that of the court registrar, which had been established by a recent law. Andorra was currently studying the possibility of in the near future signing the Lugano Convention.

II. Conclusions and recommendations**

83. **The recommendations formulated during the interactive dialogue and listed below enjoy the support of Andorra:**

83.1 **Ratify the Convention on Cybercrime and the Arms Trade Treaty within a reasonable period of time (Georgia);**

83.2 **Continue to strengthen its social plans and programmes in particular in the area of employment, health and food to ensure the best possible well-being of its people with a special emphasis on the most excluded sectors of the population (Bolivarian Republic of Venezuela);**

83.3 **Establish an inter-institution mechanism to provide follow-up to the recommendations by the UPR and other international mechanisms, to coordinate**

** The conclusions and recommendations have not been edited

the presentation of reports to treaty bodies and to study Andorra's accession to the treaties to which it is not yet a party (Mexico);

83.4 **Submit its overdue reports to two treaty bodies (Sierra Leone);**

83.5 **Continue its efforts to submit its outstanding periodic reports (Slovenia);**

83.6 **Continue its efforts aiming at the elimination of discrimination against women by further aligning its legislation and national policies to the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (Morocco);**

83.7 **Redouble its efforts in the field of violence against women and domestic violence through the different measures provided in the legislation aiming at the eradication of violence against women and domestic violence (Monaco);**

83.8 **Continue its efforts to prevent gender-based and domestic violence and to protect and support victims (Australia);**

83.9 **Thoroughly investigate cases of hate crimes and fully prosecute those responsible for acts of incitement to violence (Sierra Leone).**

84. **The following recommendations will be examined by Andorra which will provide responses in due time, but no later than the thirtieth session of the Human Rights Council in September 2015:**

84.1 **Align fully its national legislation with the Rome Statute of the International Criminal Court, in particular by incorporating provisions to cooperate promptly and fully with the Court (Estonia);**

84.2 **Sign and/or ratify the International Covenant on Economic Social and Cultural Rights and also ratify its Optional Protocol, the Optional Protocol to the Convention against Torture, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);**

84.3 **Adhere to the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention against Torture, the 1951 Refugee Convention and the 1967 Protocol thereto, as well as the United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education, as previously recommended (Brazil);**

84.4 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria) (Sierra Leone);**

84.5 **Strengthen its legal framework on the fulfilment of the rights of migrants, by considering accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

84.6 **Consider ratifying those international human rights instruments to which it is not yet a party, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Nicaragua);**

84.7 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);**

84.8 **Sign and ratify the International Covenant on Economic, Social and Cultural Rights (Ireland) (Spain);**

84.9 **Ratify the International Covenant on Economic, Social and Cultural Rights (Montenegro) (Morocco) (Costa Rica) (Timor-Leste) (Sierra Leone);**

84.10 **Ratify the International Covenant on Economic, Social and Cultural Rights within the time frame of the third universal periodic review (Netherlands);**

84.11 **Consider ratifying the International Covenant on Economic, Social and Cultural Rights (Namibia) (Nicaragua);**

84.12 **Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and accede to its inter-States investigative mechanism (France);**

84.13 **Ratify the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol, as well as the Optional Protocol to the Convention against Torture (Portugal);**

84.14 **Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Montenegro), (Denmark);**

84.15 **Sign and ratify the Optional Protocol to the Convention against Torture (France);**

84.16 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone);**

84.17 **Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance and recognize the competence of the Committee on Enforced Disappearances in conformity with articles 31 and 32 of the Convention (France);**

84.18 **Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance as well as the core international human rights instruments to which it is not yet a party (Argentina);**

84.19 **Ratify the International Labour Organization (ILO) conventions, namely Convention No. 138 (Algeria);**

84.20 **Consider ratifying ILO Convention No. 189 (Philippines);**

84.21 **Consider ratifying ILO Equal Remuneration Convention (Rwanda);**

84.22 **Start a national consultation with a view to becoming a member of the ILO and adhering to the core ILO conventions, as previously recommended (Brazil);**

84.23 **Consider ratifying the UNESCO Convention against Discrimination in Education (Rwanda);**

84.24 **Sign and ratify as soon as possible the Council of Europe Framework Convention for the Protection of National Minorities (Chile);**

84.25 **Amend legislation in order to decriminalize abortion under certain circumstances, such as pregnancies that are the result of rape, as previously recommended (Netherlands);**

84.26 **Amend legislation in order to decriminalize abortion under certain circumstances, such as pregnancies that are the result of rape (France);**

84.27 **Adopt a law on child protection that provides guidance or directives regarding the roles and responsibilities of government agencies (Portugal);**

84.28 **Decriminalize defamation, currently in the Criminal Code, and place it within the Civil Code, in accordance with international standards (Estonia);**

84.29 **Envisage the creation of a national human rights institution in conformity with the Paris Principles (Libya);**

84.30 **Further its efforts towards the establishment of a national human rights institution that is compliant with the Paris Principles (Philippines);**

84.31 **Take up again the recommendations of the first review relating to the creation of a national human rights institution in conformity with the Paris Principles (Nicaragua);**

84.32 **Establish a national human rights institution in full compliance with the Paris Principles (Portugal);**

84.33 **Establish an independent national institution in compliance with the Paris Principles (Timor-Leste) of the United Nations (Canada);**

84.34 **Set up a national human rights institution in line with the Paris Principles (Chile) (Costa Rica);**

84.35 **Continue to engage its international partners with the view to strengthening the capacity and enlarging the resource base of the Commission (Philippines);**

84.36 **Consolidate all human rights efforts through, inter alia, developing a comprehensive national human rights action plan (Indonesia);**

84.37 **Consider developing human rights indicators as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal);**

84.38 **Continue incorporating the gender perspective in all policies and programmes and improve existing practices in this matter (Uruguay);**

84.39 **Continue efforts to amend the Criminal Code in order to prohibit the trafficking and sale of children for all purposes and to extend criminal liability to legal persons, and fully implement those amendments (Germany);**

84.40 **Take measures to provide redress to victims of trafficking in persons and adopt specific policies to fight against forced labour and prostitution (Mexico);**

84.41 **Continue to provide adequate human and other resources to its anti-human trafficking programmes (Philippines);**

84.42 **Adopt a national plan against human trafficking and provide assistance to all victims of trafficking regardless of the form of exploitation (United Kingdom of Great Britain and Northern Ireland);**

84.43 **Extend its human rights education efforts to human rights training for media professionals and journalists (Slovenia);**

84.44 **Strengthen criminal legislation aimed at strengthening the fight against racism and intolerance and ensure their compliance (Chile);**

84.45 **Strengthen relevant legislation to tackle racism and intolerance and take concrete measures to prohibit public instigation to racial violence, hatred and discrimination (China);**

84.46 **Establish authoritative institutions at national level to combat racism, racial discrimination, xenophobia, anti-Semitism and intolerance and to raise awareness amongst the Andorran population on these manifestations (Namibia);**

84.47 **Adopt legislation providing for the right to collective bargaining and prohibiting acts of anti-union discrimination (United States of America);**

84.48 Ensure that further steps are taken to address anti-discrimination issues and ensure that the National Plan of Action for Equality addresses all areas of the Convention on the Elimination of All Forms of Discrimination against Women (United Kingdom of Great Britain and Northern Ireland);

84.49 Consider adopting new legislation to counter all forms of discrimination against women and reserve a quota of non-executive board seats for women (Italy);

84.50 Adopt a comprehensive law on gender equality and against discrimination, consistent with the Convention on the Elimination of All Forms of Discrimination against Women (Nicaragua);

84.51 Pursue measures, in law and in practice, that address the wage gap in the private sector and unequal access to managerial posts, with women in a disadvantaged situation (Philippines);

84.52 Continue to develop legislation and policies to promote gender equality, placing particular focus on the participation of women in politics (Spain);

84.53 Ensure effective law enforcement and prevention and protection measures to bridge the gap between legislation and practice in combating violence against women (Thailand);

84.54 Address the rights of those individuals detained while awaiting trials, in particular foreigners, whose cases often experience prolonged delays (Germany);

84.55 Ensure that credible allegations of police misconduct are investigated through an independent mechanism (United States of America);

84.56 Continue its efforts to strengthen mechanisms that could guarantee prompt implementation of judicial resolutions to better protect human rights (Spain);

84.57 Bring its legislation closer to the requirements of the European Convention on Nationality, which stipulates that to obtain the nationality, the period of residency should not be above 10 years (France);

84.58 Promote the rights of temporary workers to family reunification (in conformity with the recommendation on racism and intolerance of the European Commission) in all applicable legislation, including law 9/2012 (Mexico);

84.59 Continue to ensure strong legislative protection for children, including by increasing the minimum age of marriage to 18 (Australia);

84.60 Raise the minimum age of marriage from 14 to 18 (Sierra Leone);

84.61 Demonstrate respect for freedom of religion or belief by recognizing the legal status of other faiths in addition to Catholicism (United States of America);

84.62 Adopt a law on access to information in order to fully promote the exercise of the right to freedom of expression and freedom of opinion (Canada);

84.63 Ensure swift approval of its plan to recognize the right to strike, in accordance with the Andorran Constitution and international standards (Italy);

84.64 Review its legislation so that it provides legal support for collective bargaining and the right to strike (Sweden);

84.65 Pursue its efforts in eradicating unemployment, in particular through the 2015 programme on youth employment (Libya);

84.66 Improve the policy on health care to provide affordable health-care services to immigrant women and girls (China);

84.67 **Continue its efforts in promoting and protecting the rights of persons with disabilities with particular attention to the specific needs of women and children with disabilities, especially by increasing awareness of their rights to prevent social discrimination and providing equal access to adequate social and health services (Thailand);**

84.68 **Strengthen assistance measures to women, children and persons with disabilities (Angola);**

84.69 **Continue the trend to strengthen the protection of children with disabilities, promoting their inclusive education (Spain);**

84.70 **Continue to work on awareness-raising of the rights and needs of children with disabilities and ensure that children with disabilities have equal access to social and appropriate health-care services (Argentina);**

84.71 **Strengthen national policies for the promotion and protection of migrants (Angola);**

84.72 **Adopt public policies for migrants in conformity with its international obligations (Costa Rica);**

84.73 **Harmonize legislation on asylum seekers and refugees in line with the international framework in force (Mexico);**

84.74 **Review its legislation to create legal ways to seek asylum in Andorra (Sweden).**

85. **The recommendations below did not enjoy the support of Andorra, but were noted:**

85.1 **Amend the Criminal Code with the view to specifically prohibiting trafficking in human beings as a criminal offence (Ireland);**

85.2 **Prohibit and appropriately sanction corporal punishment (Chile).**

86. **Andorra noted the recommendation contained in paragraph 85.1 concerning the need to amend the Criminal Code in order to specifically prohibit trafficking in human beings as a criminal offence. It stated that article 134 bis, entitled "Trafficking of human beings", of the Andorran Criminal Code currently in force, explicitly prohibits trafficking in human beings and sanctions anyone who "recruits, transports, transfers, hosts one or more persons for the purpose of slavery or other types of servitude" with a prison sentence from 2 to 6 years. Article 134 bis, point 2, further extends the offence by specifying that whenever such actions are perpetrated upon children, there is no need for any listed misconducts, such as abuse, intimidation, threat, use of force, promise of economical rewards or other benefits, in order to consider it human trafficking. Putting at risk the life of persons who are victims of such conducts or acting on persons with special vulnerabilities such as mental or physical incapacities are all aggravating causes. Articles 121 bis and 157 bis of the Andorran Criminal Code also criminalize trafficking in human beings for the purpose of the removal of organs and sexual exploitation.**

87. **Andorra noted the recommendation contained in paragraph 85.2 regarding the prohibition of corporal punishment of children, based on the legal framework already in force in Andorra. It stated that article 476 of the Criminal Code Qualifying Law 9/2005, as amended by article 40 of Law 40/2014 of 11 December 2014, clearly prohibits all forms of corporal punishment of children, including teenagers, in all settings in Andorra.**

88. **All conclusions and recommendations contained in the present report reflect the position of the submitting State and the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[*English French only*]

Composition of the delegation

The delegation of Andorra was headed by H.E. Mr. Gilbert Saboya Sunyé, Minister for Foreign Affairs, and composed of the following members:

- S.E.M. Enric Tarrado Vives, Ambassadeur extraordinaire et plénipotentiaire, Représentant permanent auprès de l'Office des Nations Unies et des autres organisations internationales à Genève;
- Mme Azahara Cascales Ruiz, Juge d'Instruction pénale au Tribunal de Première Instance de la Principauté d'Andorre;
- Mme Ester Cañadas Borjas, Représentant permanent adjoint auprès de l'Office des Nations Unies et des autres organisations internationales à Genève;
- M. Joan Josep López Lavado, Desk Officer pour les Affaires multilatérales, Ministère des Affaires étrangères;
- Mme Patricia Quillacq Albajes, Conseiller juridique, Ministère des Affaires étrangères;
- M. Manuel Marcu, Agent administratif, Mission Permanente d'Andorre auprès de l'Office des Nations Unies et des autres organisations internationales à Genève.